



2020 Summer AIHEC Meeting

Zoom Web Conference

TRIBAL Colleges: *Educating, Engaging, Innovating, Sustaining, Honoring*

AIHEC BOARD OF DIRECTORS

July 8-10, 2020





Sovereign Nations through Excellence
in Tribal Higher Education.

TRIBAL Colleges and Universities: *Educating, Engaging, Innovating, Sustaining, Honoring*

| DAY / DATE | TIME | SCHEDULE OF EVENTS | MEETING VENUE |
|-------------------|--|--|--------------------------------|
| WED. JULY 8 | 12:30 PM – 2:45 PM EDT | <p><u>TCU PROFESSIONAL DEVELOPMENT SESSION ONE: WE ARE RESILIENT</u></p> <ul style="list-style-type: none"> <i>TRADITIONAL WAYS OF BEING: LEADERSHIP, HEALTH, MINDFULNESS & CONTEMPLATIVE PRACTICES</i> <p>Michael Yellow Bird, Ph.D., University of Manitoba Mindfulness is being aware of what is happening at the moment, outside and inside us, without judging or attaching to the content, feelings, and emotions that arise. It refers to living deeply in the present moment and not responding to life in a distracted, mechanical, and hurtful manner, as we often might do. As we navigate our way through the COVID-19 pandemic, adapt to a new normal, and plan to open campuses (to varying degrees) in fall 2020, this session will help us refocus through techniques that Indigenous people have practiced since the beginning. We will learn how stress impacts our communities, our students, and ourselves; how mindfulness practices can help deal with stress and strengthen the resilience of our communities; and how we can use our minds to decolonize our future.</p> | ZOOM CONFERENCE SESSIONS |
| THURS. JULY 9 | 1:30 PM – 3:15 PM EDT <i>(NOTE REVISED TIME CHANGE!)</i> | <p><u>TCU PROFESSIONAL DEVELOPMENT SESSION TWO: WE ARE PLANNERS</u></p> <ul style="list-style-type: none"> <i>PLANNING & BUDGETING IN A PANDEMIC: SHARING BEST PRACTICES</i> <p>MR. MAUNKA MORGAN, MBA, AND TCU PRESIDENTS The COVID-19 pandemic is changing the way TCUs communicate, teach, serve communities, create safe places for students, and protect faculty/staff while encouraging innovation and knowledge creation. More than ever, careful, inclusive, and transparent planning and budgeting is critical. In this 2-part session, Maunka Morgan will share key planning and budgeting strategies during times of crisis, particularly when the future is uncertain. From a uniquely Native perspective, he will discuss inclusive and data driven planning and budgeting; fraud, waste, and timing considerations; innovative ways to budget and share costs; and more.</p> <p>In addition, TCU presidents will have the opportunity to reflect on their experiences and discuss decision making processes, best practices, success strategies, and challenges in terms of planning and budgeting for academic year 2020-21.</p> | |
| FRI. JULY 10 | 12:30 PM – 2:45 PM EDT | SUMMER BOARD OF DIRECTORS MEETING | |
| THURS. JULY 16 | 12:30 PM – 2:00 PM EDT | <p><u>PRESIDENTS EXECUTIVE SESSION THREE: WE ARE COMPASSIONATE</u></p> <ul style="list-style-type: none"> <i>NEW TITLE IX REGULATIONS: WHAT YOU NEED TO KNOW & DO BY AUG. 14</i> <p>U.S. DEPARTMENT OF EDUCATION AND KAREN LONG, CTMN ATTORNEY In May, Secretary of Education Betsy DeVos published new regulations overhauling the way higher education is required to address student <i>and</i> employee sexual harassment and assault complaints (Title IX regulations). The new rules differ significantly from Obama-era regulations: stricter sexual misconduct reporting, more rights for the accused, courtroom-like hearings, and more.</p> <p>In this session, we will learn compliance details directly from the U.S. Department of Education. In addition, Karen Long, attorney for College of the Muscogee Nation (CtMN), will share the new CtMN policy; provide insight into the process CtMN used to develop and approve the policy and describe how CtMN will conduct hearings, provide training, and protected the rights of all involved.</p> | |

AGENDA

AIHEC SUMMER 2020 BOARD OF DIRECTORS MEETING

Friday, July 10, 2020 -- 12:30 PM (EDT)

via Zoom Web Conference

- I. **Call to Order:** David Yarlott, Chair
 - Opening Prayer - Richard Littlebear, President, Chief Dull Knife College
 - Roll Call - Treasure Dunlap
 - Protocol Review - Carrie Billy

- II. **Review & Approval of Meeting Agenda:** David Yarlott

- III. **Secretary's Report:** Leander McDonald, Secretary
 - Review & Approval of Fall 2019 Meeting Minutes
 - Motion to Accept Executive Committee meeting minutes: October 2019-May 2020

- IV. **Treasurer's Report:** Justin Guillory, Treasurer
 - FY2021 Final Budget: Review and Motion to Approve
 - AIHEC Investment Report: *Written report in board book*
 - Announcements

- V. **American Indian College Fund:** Cheryl Crazy Bull, President & CEO

- VI. **AIHEC Affiliate Reports:** *Written reports in board book*
 - **AIHEC Student Congress**
 - **FALCON-Land Grant**
 - **AIHEC Tribal College and Universities Librarian Association**

- VII. **The AIHEC Report:** Carrie Billy & AIHEC Staff
 - **Legislative & Executive Branch Update:** Carrie Billy & Patrese Atine

 - **AIHEC Central Office Update**
 1. Introduction of New AIHEC Staff
 2. Pending Grant Proposals: Motion needed – NARCH proposal
 3. Programmatic Initiatives: *Written report in board book*

 - **Upcoming Meetings & General Information**
Upcoming Meetings; TCU Presidents Contact List; AIHEC Staff Directory

- VIII. **Committee Reports & Motions**
 - Research Committee (motions)
 - Membership and Accreditation Committee (no motions)
 - Student Activities Committee (motions)
 - Tribal College Journal Advisory Board (no motions)

IX. Announcements

- 2021 AIHEC Student Conference, Thomas Shortbull
- Other

X. New Business: David Yarlott

XI. Adjournment: David Yarlott

- Closing Prayer

2020 Summer BoD Meeting

AIHEC Board Minutes:

Fall 2019

DRAFT MINUTES OF THE AIHEC FALL 2019 BOARD OF DIRECTORS MEETING
MILLENNIUM MINNEAPOLIS HOTEL, MINNEAPOLIS, MN
OCTOBER 9, 2019

- I. **CALL TO ORDER & OPENING PRAYER:** AIHEC Board Chair, David E. Yarlott, Jr., called the 2019 AIHEC Fall Board of Directors meeting to order at 8:29 a.m. CDT. President Elmer Guy offered an opening prayer.

ROLL CALL: Carrie Billy, AIHEC President & CEO, called the roll with the following results.

Regular Members Present

Aaniih Nakoda College
Bay Mills Community College
Blackfeet Community College
Cankdeska Cikana Community College
Chief Dull Knife College
College of Menominee Nation
College of the Muscogee Nation
Diné College
Fort Peck Community College
Iḷisaḡvik College
Institute of American Indian Arts
Keweenaw Bay Ojibwa Community College
Lac Courte Oreilles Community College
Leech Lake Tribal College
Little Big Horn College
Little Priest Tribal College
Navajo Technical University
Northwest Indian College
Nueta Hidatsa Sahnish College
Oglala Lakota College
Red Lake Nation College
Saginaw Chippewa Tribal College
Salish Kootenai College
Sinte Gleska University
Sitting Bull College
Southwestern Indian Polytechnic Institute
Stone Child College
United Tribes Technical College
White Earth Tribal and Community College

Regular Member Represented

Haskell Indian Nations University

President (Voting) or Representative

Carole Falcon-Chandler
Michael Parish
Karla Bird
Cynthia Lindquist
Richard Littlebear
Paul Trebian
Robert Bible
Charles M. Roessel
Haven Gourneau
Pearl Brower
Robert Martin
Lori Ann Sherman
Russell Swagger
Raymond Burns
David Yarlott
Maunka Morgan
Elmer Guy
Justin Guillory
Twyla Baker
Thomas Shortbull
Dan King
Carla Sineway
Sandra Boham
Lionel Bordeaux
Laurel Vermillion
Sherry Allison
Cory Sangrey-Billy
Leander R. McDonald
Lorna LaGue

Stephen Prue

Regular Members Absent

Fond du Lac Tribal & Community College
Nebraska Indian Community College
Sisseton Wahpeton College
Tohono O'odham Community College
Turtle Mountain Community College

29 Regular Members being present, a quorum was established.

II. REVIEW AND APPROVE OF THE MEETING AGENDA

Chair Yarlott reviewed the proposed agenda for the meeting.

MOTION:

President Martin moved [seconded by President Roessel] to approve the meeting agenda.

OUTCOME:

The motion was agreed to by voice vote.

III. SECRETARY'S REPORT

President McDonald briefly reviewed the 2019 Spring and Summer Board of Directors meeting minutes, noting one change, as well as the final 2019 July and September Executive Committee meeting minutes.

MOTION:

President McDonald moved [seconded by President Parish] to approve the 2019 Spring and Summer Board of Directors meeting minutes.

OUTCOME:

The motion was agreed to by voice vote.

MOTION:

President McDonald moved [seconded by President Guy] to accept the 2019 July and September Executive Committee meeting minutes.

OUTCOME:

The motion was agreed to by voice vote.

IV. ANNUAL REVIEW OF THE AIHEC CODE OF CONDUCT

Pursuant to Board motion, all Members and staff are required to review and sign the AIHEC Code of Conduct annually. Ms. Billy provided an overview of the AIHEC Code of Conduct.

V. TREASURER'S REPORT

Todd Early, AIHEC Investment Advisor with Sovereign Finance, LLC, provided an overview of AIHEC's financial investments. Sovereign manages three portfolios for AIHEC: AIHEC Student Congress (ASC) endowment, AIHEC board directed fund, and AIHEC operating reserve fund. Mr. Early reported a return of 10.25 percent on the ASC endowment fund and a return of more than 7 percent on both the board directed and operating reserve funds. AIHEC's original investment was \$1,174,000. The current value of AIHEC's three funds is \$1,224,755, an increase of \$50,755. The three funds outperformed the

expectations set forth under AIHEC's Investment Policy, which anticipates a conservative return of approximately 5 percent. Despite the strong growth of AIHEC's investments this year, Mr. Early said there is a greater than 50 percent probability of a recession within the next 12 months, due in part to the 2020 presidential election.

President Guillory provided a brief overview of the Finance Committee's meeting, which occurred on the preceding day. He noted that due to a small amount of interest earned, funding for AIHEC's accreditation effort now totals \$49,337. The Committee recommends that this funding be tracked separately and that any interest earned should be redeposited and used to grow the accreditation initiative fund.

MOTION:

President Guillory moved [seconded by President Bible] that the Board approves the establishment of an AIHEC Accreditation Initiative Fund, which will include the reinvestment of any interest earned on the fund.

OUTCOME:

The motion was agreed to by voice vote.

VI. PRESENTATION TO THE BOARD

Luis Cubano, National Institute of General Medicinal Sciences (NIGMS)

Dr. Luis Cubano, Program Director in NIGMS-Division of Genomic Medicine provided an informative presentation on funding opportunities available at the National Institutes of Health, including NIGMS, which may be of benefit to TCUs and their students. For example, several programs provide assistance to improve transition rates (pathways) at key postsecondary points, including the transition from 2-year colleges and programs to 4-year programs and from master's degree programs to doctorate programs, such as:

- Bridges to Baccalaureate (B2B) (B5)
- Research-Training Initiative for Student Enhancement (RISE)
- Bridges to the Doctorate Program (R25)
- Research Supplements to Promote Diversity/Reentry (Admin Supplements)
- Innovative Programs to Enhance Research Training (IPERT) (R25).

In addition, NIH grantees may apply for funding to develop or strengthen sponsored programs offices, under the Sponsored Programs Administration Development (SPAD) program.

VII. AIHEC AFFILIATE REPORTS

A. AIHEC Student Congress (ASC)

TaNeel Filestone, ASC President, discussed some of the organization's initiatives:

- Communication: The ASC plans to establish a communication network with all TCUs, starting with the designation of one "permanent" (non-student) point of contact from each TCU. The ASC developed a draft agreement, which has been distributed to each Member present. The forms, which include the contact information for one point of contact, should be completed and returned as soon as possible. The point of contact should be a TCU employee or staff member. Forms

completed after the board meeting may be sent via email to Stacia Prue, ASC Co-Advisor, at sprue@aihec.org. In addition to developing an email exchange, the ASC plans to increase ~~theirs~~ use of social media, including Facebook, Instagram, and Twitter.

- Sustainability: To promote an environmental-friendly lifestyle, the ASC would like to launch initiatives such as the banning of Styrofoam at TCUs. There will be more discussion of this issue among ASC members, with the goal of bringing a consensus statement and plan to the Board.
- Get Out the Vote Initiative: As the 2020 presidential election approaches, the ASC is working on a “get out the vote” initiative. The effort will remain non-partisan and solely focus on spreading the word about the importance of voting and encouraging people to register to vote.

The ASC is continuing to plan upcoming conferences, including the AIHEC 2020 Student Conference and the summer 2020 ASC Student L.I.F.E. Conference. For the latter conference, the ASC is considering two locations, Salish Kootenai College (Pablo, MT) and College of Menominee Nation (Keshena, WI).

Ms. Billy suggested the annual AIHEC AIMS data form be amended to include a request for the name and contact information of an ASC Point of Contact. When this information is compiled annually, Mrs. Katherine Cardell, AIHEC Research & Data Associate, could share the list with the ASC president and co-advisors.

B. American Indian College Fund (AICF)

AICF President Cheryl Crazy Bull discussed the organization’s activities and stressed the need for TCU presidents to spread awareness about AICF’s faculty development scholarship/fellowship programs. The master’s degree scholarship program, including support for faculty needing to meet the Higher Learning Commission’s 18-credit hour qualifications, needs the most help. The Master’s program has been successful in the past, but the funder will not support continuing the effort if TCU faculty do not apply for the funding.

AICF sent thousands of Native Pathways guidebooks to high school students. AICF is working directly with high schools and colleges and universities to provide small place-based grants that can serve as a pathway incentive. Student Services staff at each TCU should have more information on this effort.

C. White House Initiative on American Indian and Alaskan Native Educations (WHIAIANE)

Executive Director Ron Lessard provided an update on WHIAIANE and U.S. Department of Education initiatives. He discussed the just completed 2019 Native American Language Summit, which is a partnership between the U.S. Departments of the Interior and Education and the Administration on Native Americans. He encouraged TCU presidents to attend the 2020 Native American Language Summit, which is scheduled for Albuquerque, NM following the NIEA annual conference in October. Information will be sent to Ms. Billy. Also, Mr. Lessard will send a draft letter to Ms. Billy regarding a request to federal agencies to provide certain information, including grant funding, on their work with TCUs (“data call”).

WHIAIANE is hoping to begin the process of developing a federal agency webinar series for TCUs soon. Several agencies have indicated interest in participating.

D. Bureau of Indian Education

Ms. Katherine Campbell, Postsecondary Program Analyst at the Bureau of Indian Education (BIE), provided an update on various opportunities available for TCUs in the upcoming year. Over the summer, Ms. Campbell facilitated K-12 professional development training workshops at Haskell Indian Nations University, Southwestern Indian Polytechnic Institute, College of Menominee Nation, and United Tribe Technical College. She thanked the TCU presidents for working with her to give BIE teachers and staff the opportunity to visit the various TCUs for their training and see the great things that TCUs have to offer.

Michelle Obama's Reach Higher Foundation requested Ms. Campbell's help in identifying a volunteer TCU student to work with staff at the foundation, and Sitting Bull College responded with several students. The Foundation selected one student to participate.

Presidents Sherry Allison (SIPI), Monte Monteith & Dan Wildcat (HINU) along with Ms. Campbell, are working on the Goal 4 of the BIE strategic plan, which focuses on college and career readiness. She is hoping to secure grant and scholarship funding, which the BIE would offer to TCUs as small grants to cover recruitment, training, and college bound activities for BIE students beginning with sixth grade.

This year, [BIE STEM scholarship funding](#) administered by the American Indian Graduate Center (AIGC) totaled \$2.4 million. This funding is available to American Indian/Alaska Native students enrolled in any STEM degree program, including associate degrees through Ph.D. programs. However, only three TCU students applied for scholarships. Ms. Campbell implored TCU presidents to ensure that their financial aid staff, STEM faculty, and students know this scholarship funding is available. She said that she would speak with AIGC staff to ensure that they are sharing information on the program with the TCUs.

The BIE has one more year of the special STEM funding administered by AIGC. BIE Director Tony Dearman has designated teacher and faculty professional development as priorities for this funding. Currently, the BIE needs STEM teachers and computer/IT professionals, particularly for junior high and high schools. TCUs can benefit from this funding in two ways: (a) American Indian/Alaska Native TCU STEM faculty (along with BIE STEM teachers) can apply to directly AIGC for fellowship funding to pursue advanced degrees or professional development in STEM. TCU faculty and BIE teachers have priority in scholarship distribution. (b) TCUs are encouraged to develop professional development training workshops and institutes for BIE (and other) K-12 STEM teachers. For example, a TCU might want to develop a 1-week Math Institute for BIE K-6 teachers. The TCU would set the registration for this training at a level to fully recoup the costs of operating the Institute, including development, administration, and actual seat time and instruction. The TCU would advertise the training to the BIE and its schools. BIE teachers would apply to AIGC for scholarship funding to attend the Institute. TCUs have priority in terms of BIE professional development, as the BIE views TCUs as a lower cost, local/regional provider of high quality professional development for teachers of American Indian

students. Ms. Campbell requested that TCU presidents make their faculty and staff aware of this opportunity so that they can begin designing training programs. These activities should be developed (for offering in the summer) by February 2020.

As part of AIGC's contract with BIE, TCU and other American Indian/Alaska Native students may also apply for funding to do internships at agencies within the U.S. Department of the Interior and at certain tribal governmental sites. Once an internship is secured, AIGC will pay the students. Contact AIGC or Ms. Campbell for more information on this.

Finally, Ms. Campbell noted that she has distributed BIE endowment funding applications to all TCUs.

E. FALCON-Land Grant

A written report is included in the board book.

F. AIHEC Tribal College and Universities Librarian Association

A written report is included in the board book.

VIII. AIHEC REPORT

A. Legislative and Executive Branch Update

Ms. Billy and Ms. Atine presented the legislative and executive branch updates on Friday. To briefly recap, Ms. Billy noted that the priority is saving the Higher Education Act's (HEA) Title III-Part F (mandatory) program. Ms. Billy advocates for permanent funding, while Ms. Atine supports funding for two years and pursuing permanent funding as part of comprehensive HEA reauthorization.

B. AIHEC Initiatives

An update of selected AIHEC initiatives is included in the AIHEC Quarterly Report in the board book. AIHEC's six-year NARCH has been successfully completed. AIHEC received a new grant from NIH to continue the Aseto'ne Network for an additional four years. Ms. Reno Charette is now leading that initiative. AIHEC has received new grants to continue the National Native Health Research Training Initiative in conjunction with the Indian Health Service and the Native Research Network, a grant focused on Advanced Manufacturing through the U.S. Department of Energy (AIHEC's goal is to expand the program beyond the five existing TCUs), and a new 3-year grant with the USDA to work with disadvantaged farmers and ranchers, which will strengthen TCU extension activities.

Ms. Billy thanked the 23 TCUs that signed the community letter on the Deferred Action for Childhood Arrivals (DACA) issue. The letter is an important display of support for sister institutions of higher education. The final letter and letters on the Title III- Part F initiative are included in the board book. Ms. Billy closed with an overview of upcoming AIHEC meetings and events.

C. AIHEC STEM Programs Presentation: AIHEC Staff

AIHEC staff members Grace Mukupa, Al Kuslikis, and Alex Grandon gave a presentation on two of AIHEC's Science, Technology, Engineering, and Math (STEM) initiatives, highlighting AIHEC's recent Indigenous STEM Pedagogy Institute, convened in late August in Albuquerque, New Mexico, for TCU

STEM faculty. The Institute included an overview of AIHEC's innovative Indigenous Problem-based Learning (PBL) project, which includes the goal of building and scale a TCU community of practice around Indigenous PBL.

IX. LUNCH (Recess)

President Yarlott declared the meeting in recess at 12:33 pm. The meeting resumed at 1:00 p.m.

X. COMMITTEE REPORTS & MOTIONS

A. Research Committee: Leander McDonald, Chair

The Research Committee presented no motions.

B. Membership & Accreditation Committee: Robert Bible, Chair

The Membership & Accreditation Committee presented no motions. President Bible discussed the Bacone College application to be a regular member, which the committee received yesterday, noting that the college has solicited five tribes in Oklahoma to provide charters. However, the charters, which were not included in the application packet, do not appear to be charters of ownership and control. Ms. Billy will solicit two TCU presidents to join AIHEC staff for the required site visit in December 2019.

The Membership & Accreditation Committee determined that the San Bernardino Community College District does not meet the requirements of being a regular member of AIHEC, therefore, the District's application will not advance to the full board.

The Committee will establish a working group on AIHEC Memberships Categories. The group will review and propose recommendations regarding membership categories and affiliations, including an analysis of both threats and opportunities of establishing new institutional membership categories and service/business affiliations.

President Crazy Bull asked that the American Indian College Fund be kept informed and involved as the Bacone application process moves forward.

C. Student Activities Committee: Robert Martin, Chair

The Student Activities Committee presented several motions for consideration.

MOTION: *Critical Inquiry Competition: Addition of Rules and Guidelines*

President Martin moved [seconded by President Roessel] that the AIHEC Board of Directors approves the following changes to the AIHEC Student Conference Critical Inquiry Competition Rules & Regulations:

1. Rule #8 is amended to state: "Team members and spectators shall conduct themselves in an appropriate manner. Spectators are not allowed to communicate in any way with the teams once a match begins. Any intentional or unintentional communication with or by a team will result in the disqualification of the entire team from the tournament. A team is disqualified if the team's coach signals to his or her team(s) during the competition,"

2. Rule #17 is amended as follows: "Handouts are required for each team that competes. Handouts produced must be professional, typed, clean, and with works cited in APA format". In addition, the coordinator of the critical inquiry competition will be required to obtain and display a countdown clock to assist the teams manage the timing of their presentation.

OUTCOME:

The motion was agreed to by voice vote.

MOTION: *Poetry Slam at the AIHEC Student Conference*

President Martin moved [seconded by President Sangrey-Billy] that the AIHEC Board of Directors approves the following changes to the AIHEC Student Conference Poetry Slam Rules & Regulations:

"The number of students participating in the Poetry Slam should be limited to 37 (equivalent to the number of TCUs). If eight or more TCUs do not enter a participant into the competition, the ASC may fill any vacancies, to a total of 30 participants."

OUTCOME:

The motion was agreed to by voice vote.

MOTION: *AIHEC Athletic Commission Vacancies*

President Martin moved [seconded by President Parish] that the AIHEC Board of Directors confirms Twyla Baker, President of Nueta Hidatsa Sahnish College, and Pete Conway, Men's Head Coach at United Tribes Technical College, to serve as Commissioners on the AIHEC Athletic Commission; and further, that the Board encourages all TCUs with women's athletic teams to nominate the head coach of their women's team(s) to serve on the Commission.

OUTCOME:

The motion was agreed to by voice vote.

MOTION: *AIHEC Student Congress Advisor*

President Martin moved [seconded by President Roessel] that the AIHEC Board of Directors confirms Noelani Bumatay-Jefferson, Student Activities/Indigenous Service Learning Coordinator at Northwest Indian College, to serve as Lead Advisor to the AIHEC Student Congress.

OUTCOME:

The motion was agreed to by voice vote.

President Martin requested that President Allison, Southwestern Indian Polytechnic Institute, provide an update on the 2020 AIHEC Student Conference. President Allison stated that the conference, scheduled for March 21-24, 2020, will be held at the Albuquerque Convention Center in Albuquerque, NM. The entire facility will be reserved for the conference. The DoubleTree Hotel is the host hotel. Embassy Suites, Crowne Plaza and the Fairfield Inn also are contracted for rooms for the conference. The theme of the conference is '*Living Our Ancestors Prayers*'.

The conference will feature competitions in 17 academic areas and four non-academic areas, including two new academic competitions: Culinary Arts Bowl and the Math Bowl. The book lists for the Knowledge Bowl were confirmed last week and notifications will be sent out soon. The Mr. and Ms. AIHEC competition has moved to the academic competitions and will include public speaking and interview skills. Other conference activities include the annual Poetry Slam, a Fashion Show (new this year), the annual pow wow and a 5K Run.

In closing, President Allison noted that the AIHEC National Basketball Tournament will be held March 25-28, 2020 in Santa Fe, NM and will be hosted by IAIA.

D. Tribal College Journal Advisory Board: Pearl Brower, Chair

The Tribal College Journal Advisory Board had no motions to present. President Brower provided a brief update. The TCJ continues to expand its online content, including web exclusive articles, columns, blogs, TCU news, additional media reviews, and the TCJ student webzine, which includes TCU art and film. There are regular podcast posts and videos online as well.

TCJ created a downloadable guide of all TCU academic degree programs, which is free all who subscribe to the TCJ e-newsletter, as well as a comprehensive guide with all academic programs and degree. The guide also includes enrollment, housing, campus locations, and tuition costs, among other pertinent information for students considering enrolling at a TCU or transferring to continue their education at another TCU.

TCJ has published a printed version of its book *Language of Revitalization at Tribal Colleges and Universities: Overviews, Perspectives, and Profiles*. The book includes essays and articles from numerous TCU leaders and includes a forward written by President Littlebear. For more information, visit www.tribalcollegepress.org. The official publication date is Monday, October 14, 2019 and the book can be purchased on www.amazon.com or www.barnesandnoble.com.

Lastly, the TCJ is hosting an online fundraiser/auction later this fall. All items should be donated by October 15, 2019.

XI. NEW BUSINESS

President Yarlott reminded board members to attend NIEA's opening night at the Minneapolis Convention Center following the board meeting.

XII. ADJOURNMENT

MOTION:

President Boham moved [seconded by President Sangrey-Billy] that the 2019 AIHEC Fall Board of Directors meeting be adjourned.

President Bordeaux offered a closing prayer.

OUTCOME:

The motion was agreed to by voice vote.

Accordingly, the meeting adjourned at 2:05 pm CDT.

Minutes prepared by AIHEC staff.

Executed and acknowledged by the undersigned being the Secretary of the Board of the Corporation.

2020 Summer BoD Meeting

Executive Committee Minutes:

**October-November ,2019
January-May, 2020**

(no meeting in December 2019, per committee policy)

MINUTES OF THE AIHEC 2019 OCTOBER EXECUTIVE COMMITTEE MEETING
Tuesday, October 7, 2019

I. CALL TO ORDER

AIHEC Board Chair, David Yarlott, called the October 2019 meeting of the AIHEC Executive Committee to order at 4:20 pm CDT. The roll was called with the following results:

Members Present:

David Yarlott, Jr., Chair

Elmer Guy, Vice-Chair

Leander R. McDonald, Secretary & Research Committee Chair

Justin Guillory, Treasurer

Robert Martin, Student Activities Committee Chair

Robert Bible, Membership & Accreditation Chair

Cynthia Lindquist, Member-at-Large

A quorum was established.

AIHEC staff: Carrie Billy, Patrese Atine, and Treasure Dunlap

II. REVIEW & APPROVE OF THE MEETING AGENDA

Chair Yarlott presented the agenda for the October 2019 committee meeting and requested approval.

MOTION:

President McDonald moved [seconded by President Martin] to approve the meeting agenda.

OUTCOME:

The motion was agreed to by voice vote.

III. REVIEW & APPROVAL OF THE SEPTEMBER 2019 COMMITTEE MINUTES

MOTION:

President McDonald presented the September committee minutes and moved [seconded by President Bible] to approve them.

OUTCOME:

The motion was agreed to by voice vote.

IV. LEGISLATIVE & EXECUTIVE BRANCH UPDATES & ISSUES

An update will be provided on Tuesday, October 8, during the Opening Plenary Session.

V. TCU & CENTRAL OFFICE UPDATES & ISSUES

Fall 2019 Board of Directors Meeting: Overview

The committee reviewed the schedule of events for the AIHEC Fall 2019 Board Meeting and the agenda for the breakfast meeting with the National Indian Education Association (NIEA) governing board. Additionally, the committee received biographies for the NIEA board members.

NIEA Breakfast Meeting: Assignment of Roles: The goal of the joint NIEA-AIHEC breakfast meeting, scheduled for Tuesday, October 8, is to identify strategies for the two organizations to support one another in key priority areas. Over the past month, AIHEC and NIEA staff worked together to identify four priority areas shared by both organizations, based on previous discussions with the executive committee. During the breakfast meeting, President Yarlott and Robin Butterfield, NIEA board chair,

briefly will introduce the four priority areas to the full group. Four AIHEC executive committee members will provide the AIHEC perspective on each of the priority areas, followed by an open group discussion. The committee agreed that the four priority issue areas will be introduced as follows:

- College Readiness: Leander McDonald
- Native Language Instruction: Laurel Vermillion (*tentative, pending agreement*)
- Pathways to College and Career: Justin Guillory
- Teacher Preparation: Cynthia Lindquist

The committee discussed success and challenges with respect to each priority area and identified potential areas of collaboration with NIEA members and NIEA initiatives.

New AIHEC Membership Applications

Bacone College has submitted a letter stating the intent to apply for regular AIHEC membership, and in September, Ms. Billy had a conference call with Bacone leadership regarding the application process and required documentation. Ms. Billy reported that during the call, Bacone President Ferlin Clark reaffirmed the intent to apply for regular membership; however, AIHEC has not yet received a formal application. President Clark stated that he and members of his staff and governing board will attend the AIHEC Membership and Accreditation Committee meeting, as well as the meeting of the full Board. The executive committee reviewed and discussed the AIHEC bylaws and requirements for regular membership. Ms. Billy stated that after Bacone submits a completed application, a site visit by AIHEC will be scheduled as part of the review process for AIHEC membership.

AIHEC Strategic Plan: 2020-2024

In follow up to the strategic planning session that took place at the Institute of American Indian Arts in June 2019, the executive committee agreed to establish a working group to refine the plan. Presidents Lindquist, Martin, and McDonald volunteered to serve on the working group. The working group will review each strategic goal and develop a process for reviewing the full plan. The working group will develop an outline for the next steps before the end of November 2019. The goal is to provide an updated draft plan to the full board and solicit feedback during the February Legislative Summit, with further discussion and a vote on the plan during the spring 2020 board meeting.

VI. Ms. Billy's Speaking Engagements, Selected Key Meetings, and Travel

- A. Previous Events:** *July 15-16: American Indian College Fund Summer Meeting (Denver, CO); July 29-30: AIHEC Indigenous STEM Institute (Albuquerque, NM), led by AIHEC staff; TCU Summer Meeting at SKC, July 30-Aug. 2; Aug. 8-9: AIHEC Lumina Native Student Success Framework Advisory Committee Mtg (SLC, UT); Aug. 29-30: Gates Foundation Meeting at AIHEC; Sept. 2-3: Tribal Leaders Summit (Bismarck, ND); NACIE Mtg (Sept. 11), Sept. 23: Tribal Broadband Summit (WDC) (speaker); Sept. 24: Department of Energy Tribal Energy Stakeholders Summit (WDC) (speaker) Sept. 23: Higher Ed Teacher Preparation Task Force Mtg (WDC).*
- B. Upcoming Events:** *October 9-10: NIEA Convention and Trade Show (MSP); Oct. 16-18: Indigenous Adult and Higher Learning Association (IAHLA) Annual General Meeting (Vancouver, BC) (keynote speaker); Oct. 20-23: NCAI Fall Conference (ABQ) (Ms. Atine); Oct. 26-28: FALCON Conference (Denver, CO) (speaker); Oct. 28-29: AICF Fall Board Meeting (Bemidji, MN); Oct. 30-Nov 2: NARCH PI Meeting & SACNAS Conference (Honolulu, HI) (speaker); Nov. 11-12: Grinnell College and Meskwaki Settlement (Iowa)(speaker); Nov. 13-14: AIAN HSCO Advisory Council Meeting (WDC) (council member).*

VII. ADJOURNMENT

MOTION:

President Lindquist moved [seconded by President Bible] that the October meeting of the AIHEC Executive Committee be adjourned.

OUTCOME:

The motion was agreed to by voice vote.

Accordingly, the meeting was adjourned at 6:15 CDT.

Minutes prepared by AIHEC staff.

Executed and acknowledged by the undersigned Secretary of the Board of the Corporation.

Leander R. McDonald, Secretary
American Indian Higher Education Consortium

Date

MINUTES OF THE AIHEC 2019 NOVEMBER EXECUTIVE COMMITTEE MEETING
Tuesday, November 26, 2019

I. CALL TO ORDER

AIHEC Board Chair, David Yarlott, called the November 2019 meeting of the AIHEC Executive Committee to order at 12:08 pm EST. The roll was called with the following results:

Members Present:

David Yarlott, Jr., Chair

Elmer Guy, Vice-Chair

Leander R. McDonald, Secretary & Research Committee Chair

Robert Martin, Student Activities Committee Chair

Robert Bible, Membership & Accreditation Chair

Cynthia Lindquist, Member-at-Large

Member Not Present:

Justin Guillory, Treasurer

A quorum was established.

AIHEC staff: Carrie Billy and Treasure Dunlap

II. REVIEW & APPROVE OF THE MEETING AGENDA

Chair Yarlott presented the agenda for the November 2019 committee meeting and requested approval.

MOTION:

President Martin moved [seconded by President Guy] to approve the meeting agenda.

OUTCOME:

The motion was agreed to by voice vote.

III. REVIEW & APPROVAL OF THE SEPTEMBER 2019 COMMITTEE MINUTES

MOTION:

President McDonald moved [seconded by President Lindquist] to approve the October committee minutes.

OUTCOME:

The motion was agreed to by voice vote.

IV. LEGISLATIVE & EXECUTIVE BRANCH UPDATES & ISSUES

A. Authorizing:

FUTURE Act and HEA Update

Ms. Billy reported on progress of the FUTURE Act since the last committee meeting. In the Senate, key Republican and Democrat staff are continuing to meet in an attempt to resolve differences related to how to proceed with reauthorization of the Higher Education Act (HEA). Prior to the current recess, Senate Democrats made several attempts to bringing the FUTURE Act to the floor, but each attempt was blocked by Senator Alexander, chair of the Health, Education, Labor, and Pensions Committee, who has proposed an alternative to the FUTURE Act. Senator Alexander's bill, as previously discussed, would make the Title III Part F program permanent, simplify certain FAFSA processes, and reauthorize or modify some other higher education programs. Despite the ongoing differences, Ms. Billy said she believes a compromise will be worked out and that several

months are available to allow negotiations to continue. Final action could be as late as March 2020 without disrupting TCU funding. In the meantime, the UNCF, TMSF, AIHEC, and HACU coalition is hosting another event on December 10, 2019, on Capitol Hill which will include a press conference involving the CEOs of each organization as well as some Congressional members. In addition, coalition staff and college representatives will visit with key House and Senate offices. A full day of activities are planned.

Chairman Bobby Scott (D-VA) of the House Education and Labor Committee, introduced a comprehensive bill to reauthorize the Higher Education Act. The College Affordability Act (CAA), H.R. 4674, includes a nearly all of AIHEC's proposed amendments to the Tribal Controlled Colleges and Universities Assistance Act and certain titles of the HEA. Chairman Scott and his staff have been very supportive of TCUs and worked closely with AIHEC during the development of the CAA. Chairman Scott hopes to pass the CAA in the House before the end of December. However, the Congressional Budget Office (CBO) must first evaluate the bill and provide an estimate of the cost of the legislation in relation to the federal budget. This CBO estimate, or "score" must be released before any further consideration of the bill may occur.

In the Senate, HEA reauthorization discussion and negotiations continue between Chairman Alexander and Ranking Member Murray of the Senate on Health, Education, Labor, and Pensions Committee, as mentioned earlier. Their stated – but undoubtedly unrealistic - goal is to have an agreement drafted by the end of December.

Fort Lewis College

Last week, Ms. Billy and Ms. Atine held a conference call with President Tom Stritikus regarding Fort Lewis College's (FLC) ongoing efforts to pass legislation to receive congressionally mandating funding for American Indian out of state students attending FLC. President Stritikus shared that FLC is no longer contracting with the previous consulting firm on this issue. Instead, President Stritikus would like to try to negotiate a compromise between AIHEC and FLC in order to gain AIHEC support for a FLC legislative funding proposal. Ms. Billy presented some of the concerns that were discussed by the AIHEC Board of Directors at the last Spring meeting. She further explained to President Stritikus that it would be very difficult for AIHEC to support any federal bailout of a state financial obligation as requested by FLC in past and current legislation (Native American Indian Education Act). Ms. Billy invited President Stritikus to submit a proposal to present to the board at the Spring 2020 meeting to further discuss this issue.

B. Appropriations:

FY2020 Continuing Resolution(s) and Senate/House Activity Update

With regard to fiscal year 2019 federal funding, the House and Senate finally (and belatedly) have reached an agreement on the 302b allocations for the programs under the jurisdiction of each of the respective appropriations' subcommittees. Now, House and Senate conference committee members can begin to negotiate differences between their respective appropriations bills. The goal is to have all bills agreed to by December 20. However, final agreement on all aspects of the federal budget could be delayed by border wall issue. Bills such as Interior, Energy & Water, Agriculture, and Legislative Affairs should be passed by both the House and Senate on or before that date, however. Bills that could be delayed are Homeland Security, Defense, and Labor Health and Human Services and Education.

The appropriators have given staff a deadline of December 6 to complete all negotiations, after which only member-level outstanding issues will need to be resolved.

We are pleased to report that the 302b allocation for the Labor, Health and Human Services and Education bill is significantly higher than the Senate-passed level, although it is lower than the House level. Ms. Billy added that there is a possibility that there will be modest increases, but definitely not at the levels approved by the House.

C. Executive Branch:

WHIAIANE

Mr. Ron Lessard, acting director of the White House Initiative on American Indian and Alaska Native Education, would like to work with AIHEC to host another federal agency convening in February 2020, similar to the meeting last year. Ms. Billy asked for the Committee's thoughts on such a convening. President McDonald commented that if the discussion is focused on the specific needs of TCUs, he would support such a meeting and suggested the meeting be held on Thursday afternoon, rather than Friday morning. He also posed that we might discuss the AIHEC strategic plan during this time, in preparation for the spring board meeting. President Yarlott asked whether or not federal agency representatives attending a meeting would have authority over TCU issues. Ms. Billy stated that the majority of the attendees most likely would not have authority, but staff can check the list of last year's attendees, attempt to target key departments, and draft a list of issues for discussion. Ms. Billy stated that she would follow-up with Mr. Lessard.

USDA: Centers for Community Prosperity and USDA-TCU Group Request

Ms. Billy informed the Committee that the USDA asked several TCUs to host a locally-based Community Prosperity Summits. Information on this request is included in the meeting packet. Sitting Bull College hosted a Summit in August.

V. TCU & CENTRAL OFFICE UPDATES & ISSUES

2020 AIHEC Legislative Summit

The National Indian Education Association (NIEA) will hold the NIEA legislative event during the same week as AIHEC's Legislative Summit. Ms. Billy and Ms. Atine met with Diana Cournoyer, NIEA Executive Director, to discuss some possible collaborative activities. NIEA and AIHEC agreed to host a joint reception, 'Honoring Native Leaders', on Capitol Hill on Wednesday evening, February 5.

Spring Board of Directors Meeting

Earlier in the fall, Ms. Billy surveyed all TCUs, jointly with the Association of Community College Trustees (ACCT) regarding the desire for another joint governing board training session. The overwhelming majority of respondents requested a training session and ranked various topics for discussion. AIHEC and ACCT are considering hosting the training on March 19-20, 2020, which are the first two days of the spring board meeting. Ms. Billy asked the committee whether they would prefer that the training be held during the annual Student Conference instead. Presidents Lindquist, Guy, and Yarlott agreed that having the training during the AIHEC Student Conference would be as best. President Bible suggested a trainer the trainer format, where one representative from each TCU could attend the training and then report back to other board members. The goal would be to have training continuously available, as board members transition in and out. Ms. Billy said she would follow-up with ACCT.

President Martin added that he has had discussions with Ms. Billy and HLC staff regarding the possibility of hosting HLC Peer Review Training during the spring board meeting. If we can secure 10-12 participants, HLC will host the training at no cost to TCUs on the first day of spring board meeting (Thursday, March 19). AIHEC will cover all trainer costs, and participants would only have to pay for their travel.

President Martin further suggested a meeting between TCU presidents and HLC staff to discuss the potential for creating a TCU pathway for HLC accreditation. Finally, HLC has established a nominating committee to fill upcoming vacancies on its board, including the seat currently held by President Martin. (President Martin's term expires in 2020, and he cannot be re-nominated.) President Sherry Allison is representing TCUs on the committee. President Martin will clarify the nomination process and inform AIHEC.

AIHEC Central Office Personnel Search:

Ms. Billy noted that through a new (pending) award from the Bill and Melinda Gates Foundation, AIHEC will launch a search for a new Director of Native Success Initiatives and a Director of Research. The goal is to have these positions filled in early 2020. President Lindquist inquired about the BMGF funding. Ms. Billy shared that AIHEC initially will receive \$1.7 million for capacity building, which will extend for approximately 22 months. Following this phase, the TCUs will be brought into the initiative. The project currently is in development and will be for quite some time, as BMGF is very methodical about planning, process, outcomes, and tracking.

TCU Updates:

Two TCUs have new permanent presidents: Sisseton Wahpeton College has named Dr. Lane Azure as president, and Fond du Lac Tribal and Community College has named Ms. Stephanie Hammitt as president. Previously, Ms. Hammitt was acting president.

VI. Miscellaneous & New Business

A. Bacone College Visit

As part of AIHEC's review of Bacone College's application for AIHEC membership within the "regular member" category; President McDonald, President Vermillion, Ms. Billy, and Ms. Cardell will conduct a one day site visit on December 9, 2019. A site visit report will be completed by AIHEC which details the institution's level of compliance according to AIHEC qualifications for the intended level of AIHEC membership. The report and subsequent recommendation will be submitted to the Membership and Accreditation Committee for review and further action. The Membership and Accreditation Committee will then report any decisions or action to the full board.

B. AIHEC Office Holiday Closings

The AIHEC Central Office will be closed November 28-29 and December 25 through January 2.

VII. For Your Information: CLB Speaking Engagements, Key Meetings, Travel

A. Previous Events: *Oct 16-17: Indigenous Adult and Higher Learning Association (IAHLA) 2019 AGM & Conference (Vancouver, BC)(Keynote and panelist); Oct. 20-23: NCAI Fall Conference (ABQ) (Patrese); Oct. 26-28: FALCON Conference (Denver, CO) (speaker); Oct. 28-29: AICF Fall Board Meeting (Bemidji, MN) (Patrese); Oct. 30-Nov 2: NARCH PI Meeting & SACNAS Conference (Honolulu, HI) (speaker); Nov. 11-12: Grinnell College and Meskwaki Settlement (Iowa)(speaker); Nov. 13-14: AIANHSCO Advisory Council Meeting (WDC) (council member); Nov. 21: ED Native American Heritage Month (WDC) (speaker)*

B. Upcoming Events: *Nov. 26: Dept. of Homeland Security Native Am. Heritage Month (WDC)(speaker); Dec. 9: Bacone College Site Visit (Muskogee, OK); Dec. 10: FUTURE Act Press Event (WDC)(speaker); Dec. 12-13: Complete College America Annual Convening (PHX)(panelist); CLB out of office: Dec. 25, 2019-Jan. 3, 2020.*

VIII. ADJOURNMENT

MOTION:

President Yarlott moved [seconded by President Martin] that the November meeting of the AIHEC Executive Committee be adjourned.

OUTCOME:

The motion was agreed to by voice vote.

Accordingly, the meeting was adjourned at 1:35 pm EST.

Minutes prepared by AIHEC staff.

Executed and acknowledged by the undersigned Secretary of the Board of the Corporation.

Leander R. McDonald, Secretary
American Indian Higher Education Consortium

Date

MINUTES OF THE AIHEC 2020 JANUARY EXECUTIVE COMMITTEE MEETING
Thursday, January 16, 2020

I. CALL TO ORDER

AIHEC Board Chair, David Yarlott, called the January 2020 meeting of the AIHEC Executive Committee to order at 12:02 pm EST. The roll was called with the following results:

Members Present:

David Yarlott, Jr., Chair

Elmer Guy, Vice-Chair

Leander R. McDonald, Secretary & Research Committee Chair

Justin Guillory, Treasurer

Robert Bible, Membership & Accreditation Chair

Cynthia Lindquist, Member-at-Large

Member Not Present:

Robert Martin, Student Activities Committee Chair

A quorum was established.

AIHEC staff: Carrie Billy, Patrese Atine, and Treasure Dunlap

II. REVIEW & APPROVE OF THE MEETING AGENDA

Chair Yarlott presented the agenda for the January 2020 committee meeting and requested approval.

MOTION:

President McDonald moved [seconded by President Bible] to approve the meeting agenda.

OUTCOME:

The motion was agreed to by voice vote.

III. REVIEW & APPROVAL OF THE NOVEMBER 2019 COMMITTEE MINUTES

MOTION:

President McDonald moved [seconded by President Bible] to approve the November committee minutes with clarifications to item IV-A. (Revised minutes were emailed to committee members on January 22, 2019.)

OUTCOME:

The motion was agreed to by voice vote.

IV. LEGISLATIVE & EXECUTIVE BRANCH UPDATES & ISSUES

A. Appropriations: FY 2020 Update & FY 2021 Planning

Ms. Billy and Ms. Atine reviewed final fiscal year (FY) 2020 Congressional appropriations for key TCU programs. Several TCU programs received increases in FY2020, including operating funding under the Tribally Controlled Colleges and Universities Assistance Act (TCU Act), the TCU Part A (discretionary) program under Title III of the Higher Education Act of 1965 (HEA), and 1994 Land-grant programs.

Staff presented potential funding requests for FY 2021, with which the Committee agreed. Because the AIHEC and NIEA governing boards both identified teacher preparation as a priority, AIHEC is adding the U.S. Department of Education's Indian Education Professional Development Grant Program as a funding priority for the upcoming year and will continue to advocate for funding for the TCU-Head Start partnership.¹ In addition, AIHEC will advocate for increased funding for the Federally Recognized Tribal Extension Program (FRTEP), administered by the U.S. Department of Agriculture. Following the passage of the Agriculture Act of 2018, 1994 Land-grant institutions are eligible to compete for FRTEP grants. House Appropriations Committee leadership have announced an ambitious FY2021 appropriations schedule, which includes completion of all hearings and markups by the end of May 2020 and House passage of all 12 funding bills by the end of June.

A question was posed regarding operating funding authority under AIHEC's proposed amendments to the TCU Act and the TCU programs under HEA-Title III. Staff explained that Board-approved amendments would extend the existing statutory funding priority to those TCUs receiving funding in the year of the amendments' enactment. Further, the proposed amendments include hold harmless provisions for existing TCUs and require new funding for any new TCUs.

President Guy requested additional information about workforce development grants, including the possibility of direct TCU grant funding, as opposed to current law, which requires TCUs to compete with tribes for tribal partnership grants. President McDonald added that through the Tribal Workforce 477 Program, TCU should be able to access funding directly.

House Appropriations Subcommittee on the Interior: American Indian and Alaska Native Public Witness Days

The House Appropriations Subcommittee on the Interior, Environment, and Related Agencies will hold public witness days on February 11 and 12 for all tribal programs. AIHEC has submitted a request to testify. President McDonald stated that he has requested to testify on behalf of United Tribes Technical College. President Martin stated that the Institution of American Indian Arts also submitted a request to testify.

B. Authorizing Legislation:

AIHEC Priorities for the 116th Congress, Second Session

Each year AIHEC identifies priorities, or requests to Congress, for the annual AIHEC Legislative Summit. Last year, AIHEC's priority was saving the HEA-Title III mandatory program (Title III-Part F), which was achieved in December 2019 with the passage of the FUTURE Act. The Committee discussed and identified a set of priority requests for the upcoming AIHEC Legislative Summit in Washington, D.C. on February 3-6, 2020. These include:

- As part of HEA and TCU Act reauthorization, a new TCU Graduate Opportunities program, a new Native American Language program, and an updated and expanded TCU Infrastructure (construction) program.
- TCU eligibility for the federal E-Rate program; and
- TCU funding equity (full funding for TCU programs).

¹ The TCU-Head Start Partnership program was funded at \$4 million in the Further Consolidated Appropriations Act of 2020, a package of FY2020 appropriations bills that includes the Labor-HHS-Education FY 2020 appropriations bill, which Congress approved on December 17, 2020.

At this time, AIHEC does not foresee any major movement of HEA reauthorization legislation this year due to the upcoming presidential election.

Fort Lewis College Issue

President Tom Stritikus, Fort Lewis College (FLC), has requested another meeting with AIHEC to discuss the possibility of AIHEC support for legislation to provide out-of-state tuition payments for non-resident American Indian and Alaska Native students attending FLC and University of Minnesota-Morris. Ms. Billy requested that Committee members participate in the meeting on January 21, 2020 at 9:30 am EST via conference call. Presidents Bible, Lindquist and McDonald agreed to participate.

C. Executive Branch: WHIAIANE

AIHEC continues to work with Mr. Ron Lessard, Acting Executive Director of the White House Initiative on American Indian and Alaska Native Education (WHIAIANE), to plan a second annual federal interagency meeting in conjunction with the 2020 AIHEC Legislative Summit.

V. TCU & CENTRAL OFFICE UPDATES & ISSUES

A. AIHEC Legislative Summit

Ms. Billy briefly reviewed the Schedule of Events for the upcoming AIHEC Legislative Summit, noting that AIHEC will hold a Capitol Hill Policy Briefing, which will focus on TCU priorities for HEA and TCU Act reauthorization. The following TCU Presidents will be asked to participate as panelists: Pearl Brower, Infrastructure; Sandra Boham, Economy and Job Creation; Laurel Vermillion, Native Language, Teacher preparation, and Graduate Programs. An NIEA board member also will participate to discuss teacher preparation and Native language issues. In a departure from previous years, this year's briefing will be held in the Senate.

All TCU state delegation meetings are being scheduled by Bose Public Affairs Group. As discussed during prior Executive Committee meetings, a team of Committee members will be assigned to meet with select Congressional authorizing and appropriations committees and subcommittees. These Committee members will forgo accompanying their students to state delegation meetings if there is a conflict.

The Senate impeachment trial likely will overlap with the AIHEC Legislative Summit. This will interfere with Congressional delegation meetings in the Senate. Since all Senators must be present during the trial, there is limited availability for the Members to conduct meetings.

The 2020 AIHEC Legislative Summit webinars are scheduled for January 22 and 23 at 2:00 pm EST.

B. Spring Board of Directors Meeting

Regarding the spring board meeting and 2020 Student Conference, AIHEC and ACCT will host a special training for TCU governing boards. Committee members recommended that the training be held during the Student Conference so that governing board members may participate in some of the student events. Additionally, AIHEC is working with President Martin and the Higher Learning Commission to host a TCU-specific HLC Peer Review training session. At least 10-12 individuals are needed for the training.

C. AIHEC and TCU Updates:

AIHEC Staff Transitions

Rachael Marchbanks, Tribal College Journal Publisher, has announced her decision to transition out of her position after nearly 20 years. Many of the duties can be transitioned to other TCJ employees, Brad Shreve and Marvene Tom. Ms. Marchbank's transition will take place over the next several months.

AIHEC Award: Native American Agriculture Fund (NAAF)

AIHEC has received a grant from the Native American Agriculture Fund (NAAF), which builds on an existing program funded by the U.S. Department of Agriculture. John Phillips, AIHEC Land-grant Director, will be leading this project. The NAAF is a result of the *Keepseagle v. Vilsack* lawsuit settlement.

Bacone College Site Visit

Pursuant to Bacone College's application to be a Regular Member of AIHEC, Presidents McDonald and Vermillion joined Ms. Billy and Katherine Cardell in completing a required site visit of Bacone College on December 9, 2019. The site visit report is being drafted and will be submitted to the Membership and Accreditation Committee.

VI. Miscellaneous & New Business:

Summer Board Meeting

We currently do not have a location for the summer 2020 board meeting. Ms. Billy asked for suggestions for locations or volunteers to host. President Guillory stated that Northwest Indian College (NWIC) had considered hosting the meeting but cannot at this time due to conflicts. However, NWIC may be able to host in summer 2021.

President Bible and Yarlott agreed to that NWIC would be an excellent site for the summer 2021 meeting.

VII. For Information Only: CLB Speaking Engagements, Key Meetings, Travel

A. Previous Events: Nov. 21: *US Dept. of Education, Native American Heritage Month (WDC) (speaker)*; Nov. 26: *Dept. of Homeland Security Native Am. Heritage Month (WDC) (speaker)*; Dec. 9: *Bacone College Site Visit (Muskogee, OK)*; Dec. 10: *FUTURE Act Press Event (WDC) (speaker)*; Dec. 12: *6th Annual BIE-Dept. of Education TCU Partnership Meeting (WDC)*; Dec. 23-Jan 5: *CLB out of office*; Jan. 9: *BMGF Press Announcement*; Jan. 10: *New TCU Presidents Webinar*.

B. Upcoming Events: Jan. 21: *National Committee on Equity in CTE Meeting (WDC-committee member) and Mtg w/ Fort Lewis president & UMN chancellor*; Jan. 23: *Fair Elections Center-Civic Engagement Partnership Mtg (VA-new)*; Feb. 3-6: *AIHEC Legislative Summit (WDC)*; Feb. 11-13: *BMGF IFS Convening (New Orleans, LA)*; Feb. 18-21: *ATD Dream Conference (WDC)*.

VIII. ADJOURNMENT

MOTION:

President Guillory moved [seconded by President Guy] that the January meeting of the AIHEC Executive Committee be adjourned.

OUTCOME:

The motion was agreed to by voice vote.

Accordingly, the meeting was adjourned at 1:18 pm EST.

Minutes prepared by AIHEC staff.
Executed and acknowledged by the undersigned Secretary of the Board of the Corporation.

Leander R. McDonald, Secretary
American Indian Higher Education Consortium

Date

MINUTES OF THE AIHEC 2020 FEBRUARY EXECUTIVE COMMITTEE MEETING
Thursday, February 27, 2020

I. CALL TO ORDER

AIHEC Board Chair, David Yarlott, called the February 2020 meeting of the AIHEC Executive Committee to order at 12:06 pm EST. The roll was called with the following results:

Members Present:

David Yarlott, Jr., Chair

Elmer Guy, Vice-Chair

Leander R. McDonald, Secretary & Research Committee Chair

Justin Guillory, Treasurer

Robert Bible, Membership & Accreditation Chair

Cynthia Lindquist, Member-at-Large

Member Not Present:

Robert Martin, Student Activities Committee Chair

A quorum was established.

AIHEC staff: Carrie Billy, Patrese Atine and Treasure Dunlap

II. REVIEW & APPROVE OF THE MEETING AGENDA

Chair Yarlott presented the agenda for the January 2020 committee meeting and requested approval.

MOTION:

President Guy moved [seconded by President Bible] to approve the meeting agenda.

OUTCOME:

The motion was agreed to by voice vote.

III. REVIEW & APPROVAL OF THE NOVEMBER 2019 COMMITTEE MINUTES

MOTION:

President McDonald moved [seconded by President Lindquist] to approve the January committee minutes.

OUTCOME:

The motion was agreed to by voice vote.

IV. LEGISLATIVE & EXECUTIVE BRANCH UPDATES & ISSUES

A. FY 2021 Appropriations

Ms. Atine reviewed the final federal fiscal year (FY) 2020 appropriations for key TCU programs and AIHEC's FY 2021 appropriations requests, as discussed during the AIHEC legislative summit in January. She then reviewed the request schedules of Congressional appropriations committees. AIHEC is submitting funding requests, scheduling meetings with Congressional staff, and working on the House and Senate funding support letters that presidents discussed with their Congressional delegations during the Legislative Summit.

President Guy inquired as to the status of the Department of Energy-National Nuclear Security Administration's (NNSA) Minority Serving Institution Partnership Program (MSIPP), in light of the

fact that President Trump's FY 2021 budget request to Congress did not include funding for MSIPP. In FY2020, Congress appropriated \$5 million for a specific Tribal College and University advanced manufacturing program, within NNSA but apart from MSIPP. Ms. Billy stated that many programs that Congress supports were not included in the President's budget request. However, Congress is using the final FY 2020 appropriations levels and the 2-year (FY 2020-21) Congressional budget agreement as starting points for FY 2021 appropriations, rather than the President's budget.

B. HEA and TCU Act Reauthorization

There is still no guarantee that comprehensive Higher Education Act (HEA) reauthorization will occur this year; however, staff of the Chairman and Ranking Member of the Senate Health, Education, Labor, and Pensions (HELP) Committee, Senator Lamar Alexander (R-TN) and Patty Murray (D-WA), reportedly are meeting to discuss various aspects of a reauthorization bill. AIHEC is continuing to meet with both Republicans and Democrats to advance our HEA amendments, including our proposals for a new TCU Native Language research and training program and a new program for TCU graduate degree programs. In addition, AIHEC is working closely with the Senate Committee of Indian Affairs (SCIA) to potentially introduce a freestanding bill to reauthorize the Tribally Controlled Colleges and Universities Assistance Act (TCU Act), which would include AIHEC's package of amendments to the TCU Act. If Senators Hoeven and Udall, SCIA co-Chairs, agree to introduce the bill, they probably would do so in early June, with a hearing on the measure to follow before the end of June. AIHEC staff will ask the North Dakota TCU presidents to specifically request that Senator Hoeven sponsor the TCU Act reauthorization and amendment package.

President McDonald stated that the North Dakota Association of Tribal Colleges (NDATC) will meet on March 9, 2020, at which time a letter making the request could be discussed. AIHEC staff will prepare and send a draft letter to President Lindquist, NDATC chair.

Fort Lewis College Issue Update

On February 28, 2020, AIHEC staff, along with Presidents McDonald and Bible (via conference call), met with Congressional staff from the Colorado and Minnesota delegations, along with the Fort Lewis College president and chancellor of the University of Minnesota-Morris, to reiterate the AIHEC board's opposition to legislation to provide a federal bail-out of any state obligation to provide tuition-free postsecondary education to American Indian and Alaska Native students. They explained that this issue is fundamentally a matter of respect for tribal sovereignty and treaty, trust, and contractual obligations.

President Stritikus, Fort Lewis College, was invited to attend the spring board meeting to present alternative legislation on this issue. However, a proposal has not been forthcoming.

VetSuccess at TCUs Pilot Program

Representative Ruben Gallegos (D-AZ) has drafted a bill to provide targeted assistance to military veterans attending TCUs. He has requested AIHEC's support for the measure. AIHEC is proposing that the legislation establish a regionally-based TCU veteran program, given the size of the veteran student population at TCUs. Under Rep. Gallego's proposal, up to three veteran liaisons would be placed on TCU campuses to assist veterans in accessing VA benefits and vocational/educational counseling.

MOTION:

President McDonald moved [seconded by President Guy] to enthusiastically support a bill sponsored by Representative Ruben Gallegos to establish a TCU VetSuccess Pilot Program for Tribal Colleges and Universities.

OUTCOME:

The motion was agreed to by voice vote.

U.S. Department of Agriculture (USDA) Meeting

USDA staff or officials have selected five TCU presidents to invite to serve on a leadership group of sorts and to attend a 3-hour meeting on March 11, 2020. The meeting would include representatives from TCUs as well as Hispanic Serving Institutions and Historically Black Colleges and Universities. Apparently, USDA intends to replace separate leadership groups with one group composed of all three disparate groups of institutions. USDA has declined to pay travel expenses for participation in the meeting. President Vermillion contacted Ms. Billy to express concern about the USDA's selection process and the invitation to the upcoming meeting. She said the process left her feeling uncomfortable and she would prefer not to participate. Instead, President Vermillion said she would prefer to send a letter to USDA Secretary Sonny Perdue declining the invitation and encouraging him and his staff to work with the AIHEC central organization, which represents all TCUs, rather than with the TCU presidents individually. This is especially important and cost-effective on issues impacting all 1994 Land-grant institutions. Presidents Yarlott, Guillory and Bible stated they also had received invitations from USDA. Several concerns were discussed, including the fact that USDA provided no explanation of the selection process, which appeared to be contrary to AIHEC/TCU protocol; no meeting agenda was provided; the timing of the meeting was bad; USDA was not working with AIHEC, and in particular, AIHEC's Land-grant Director, John Phillips.

MOTION:

President McDonald moved [seconded by President Guillory] that a representative from the American Indian Higher Education Consortium (AIHEC), such as AIHEC's President & CEO or Land-grant Director, shall represent the Tribal Colleges and Universities (1994 Land-grant institutions) at the March 11, 2020 meeting with USDA; and further, that the concerns raised by TCU presidents regarding the USDA's proposed leadership group, selection process, and meeting be conveyed to USDA officials.

OUTCOME:

The motion was agreed to by voice vote.

V. TCU & CENTRAL OFFICE UPDATES & ISSUES

A. AIHEC Spring Board of Director's Meeting

The committee reviewed applications to address the AIHEC board. Three requests were approved:

- Micker Richardson, National Head Start Collaborative Office
- Orville Desjarlais, NativeWellness.Life
- Mark Brown, Chief Operating Officer, Federal Student Aid.¹

With the upcoming retirement of President Carole Falcon-Chandler (Aaniiih Nakoda College) and the transition of President Pearl Brower (Iłisaǵvik College), AIHEC will hold an honoring for the presidents at the end of our spring board meeting. Ms. Marchbanks will also be honored, either at the board meeting or during the 2020 Student Conference.

B. Summer Board of Directors Meeting

President Raymond Burns, Leech Lake Tribal College, has offered to co-host the 2020 summer board meeting and has approved the dates of July 8-10, 2020. He is asking Lac Courte Oreilles Ojibwe

¹ Mr. Brown requested to speak at the AIHEC Student Conference, and therefore will not speak at the Board meeting.

College or Fond du Lac Tribal and Community College to co-host with Leech Lake Tribal College. It is likely that the meeting will be held in or near Duluth, MN.

C. TCU Updates

Dr. Paul Trebian is no longer president of College of Menominee Nation (CMN). The interim president is Chris Caldwell. President Caldwell has been with CMN since 2012 as the Director of Sustainable Development Institute, is an enrolled member of the Menominee Tribe, and is currently in his doctoral program at UW-Madison's Nelson Institute.

Shortly after leaving the AIHEC Legislative Summit, President Dan Wildcat, Haskell Indian Nations University, suffered a heart attack. He is now recovering and will be unable to attend the upcoming spring board meeting.

D. AIHEC Staff Changes and Updates

Rachael Marchbanks, Tribal College Journal (TCJ) Publisher, has begun the transition out of her position with the TCJ. Brad Shreve has been promoted to Editor-in-Chief. Marvene Tom has been promoted to Advertising, Sales & Accounts Administrator. Together, they will assume the majority of Ms. Marchbank's former duties. AIHEC plans to close the Mancos, CO office over the summer. Ms. Tom will relocate to Durango, which is closer to her home, and Mr. Shreve will continue to work from Albuquerque, NM.

Claire Doyle, AIHEC VISTA Coordinator, will be ending her VISTA contract in March 2020. (Under VISTA regulations, a Coordinator may serve only for approximately 13-14 months.) AIHEC's new VISTA Coordinator will be Rachel Renz, an energetic young woman with exceptional VISTA experience. Ms. Renz will begin her term in April.

AIHEC is in the process of filling three additional positions: (1) Russell Hofmann, Climate Research Facilitator, will be joining Althea Walker (AIHEC Southwest Climate Liaison) as a regionally-based liaison to TCUs and tribes through AIHEC's cooperative agreement with the Bureau of Indian Affairs Tribal Resilience Program. Mr. Hofmann will be based in North Dakota. (2) AIHEC's Director of Research and (3) Executive Director of Student Success (title could change) should be finalized by the end of next week.

There was no new business.

- VI. For Your Information: CLB Speaking Engagements, Key Meetings, Travel - Previous Events:** *Nov. 21: US Dept. of Education, Native American Heritage Month (WDC) (speaker); Nov. 26: Dept. of Homeland Security Native Am. Heritage Month (WDC)(speaker); Dec. 9: Bacone College Site Visit (Muskogee, OK); Dec. 10: FUTURE Act Press Event (WDC)(speaker); Dec. 12: 6th Annual BIE-Dept. of Education TCU Partnership Meeting (WDC); Dec. 23-Jan 5: CLB out of office; Jan. 9: BMGF Press Announcement; Jan. 10: New TCU Presidents Webinar; Jan. 21: National Committee on Equity in CTE Meeting (WDC – committee member) and Mtg w/Fort Lewis president & UMN chancellor; Jan. 23: Fair Elections Center- Civic Engagement Partnership Mtg (VA - new); Feb. 3-6: AIHEC Legislative Summit (WDC); Feb. 11-13: BMGF IFS Convening (New Orleans, LA); Feb. 18-21: ATD Dream Conference (organized/led panel and speaker).*

VII. ADJOURNMENT

MOTION:

President Bible moved [seconded by President Guillory] that the February meeting of the AIHEC Executive Committee be adjourned.

OUTCOME:

The motion was agreed to by voice vote.

Accordingly, the meeting was adjourned at 1:11 pm EST.

Minutes prepared by AIHEC staff.

Executed and acknowledged by the undersigned Secretary of the Board of the Corporation.

Leander R. McDonald, Secretary
American Indian Higher Education Consortium

Date

MINUTES OF THE AIHEC 2020 MARCH EXECUTIVE COMMITTEE MEETING
Thursday, March 19, 2020

I. CALL TO ORDER

AIHEC Vice-Chair, President Guy, called the March 2020 meeting of the AIHEC Executive Committee to order at 12:30 pm EST. The roll was called with the following results:

Members Present:

David Yarlott, Jr., Chair

Elmer Guy, Vice-Chair

Leander R. McDonald, Secretary & Research Committee Chair

Justin Guillory, Treasurer

Robert Martin, Student Activities Committee Chair

Robert Bible, Membership & Accreditation Chair

Cynthia Lindquist, Member-at-Large

A quorum was established.

AIHEC staff: Carrie Billy, Patrese Atine and Treasure Dunlap

II. REVIEW & APPROVE OF THE MEETING AGENDA

Vice-Chair Elmer Guy presented the agenda for the March 2020 executive committee meeting for consideration. Ms. Billy requested that the issue of two open American Indian College Fund Board of Trustee positions be added to the agenda.

MOTION:

President Lindquist moved [seconded by President Bible] to approve the meeting agenda with the addition of a discussion on American Indian College Fund Board of Trustee positions.

OUTCOME:

The motion was agreed to by voice vote.

III. REVIEW & APPROVAL OF THE FEBRUARY 2020 COMMITTEE MINUTES

MOTION:

President McDonald moved [seconded by President Bible] to approve the February 2020 committee minutes.

OUTCOME:

The motion was agreed to by voice vote.

IV. LEGISLATIVE & EXECUTIVE BRANCH UPDATES & ISSUES

A. Coronavirus Emergency Funding Measures & Agency Relief

AIHEC conducted several online surveys to collect information from TCUs regarding immediate and short-term (8-10 weeks) needs related to the COVID-19 pandemic. The results outlined challenges including institutional payroll, online learning expenses, increased sanitation, emergency aid for students, and more. Based on this information, AIHEC developed a list of COVID-19 TCU urgent funding requests which were submitted to Congress over the past weekend. The requests, by agency, are:

- Department of Interior/Bureau of Indian Education: \$27 million for immediate needs (8-10 weeks).

- Department of Education: Joint request with HBCUs and MSIs for \$1.5 billion
- Emergency Student Aid Proposal: \$40 million, specifically for TCUs
- E-Rate Eligibility for TCUs
- TCU IT Infrastructure Needs: \$40-60 million.

Ms. Billy received confirmation from the Bureau of Indian Education that the Tribally Controlled Colleges and Universities Assistance Act (TCCUAA) funding may be used for paid administrative leave for staff who cannot telework during the COVID-19 pandemic. Funding from the joint HBCU, TCU, and MSI request of \$1.5 billion could be used to address the specific needs and requests AIHEC submitted regarding emergency student aid, IT infrastructure, etc. AIHEC is urging the TCU Congressional delegations, primarily Senators, to push for inclusion of the TCU funding requests in the next COVID-19 relief bill considered by Congress.

AIHEC is using the survey results to illustrate to Congress urgent TCU needs. President Lindquist added that Cankdeska Cikana Community College's (CCCC) Head Start program, despite the discontinuation of in-person Head Start classes, has been sending meals home to Head Start children. To date, CCCC has sent home 156 meals and will continue to send out meals, books, and activities for the program.

President Lindquist requested further guidance on approved federal grant spending, including Head Start funding, during COVID-19 pandemic. Ms. Atine stated that she will follow-up with the Office of Head Start regarding guidance on Head Start grant spending during the pandemic. AIHEC is posting federal guidance on the AIHEC website.

President Lindquist explained that United Airlines would not issue a refund to CCCC for the cost of the unused airline tickets that were originally purchased for staff and student travel to the 2020 AIHEC Student Conference, which was canceled due to COVID-19 pandemic. However, United Airlines did issue a credit. CCCC estimates a loss of approximately \$20,000 in costs associated with the airline ticket purchases because the ticket credit goes to the student whose name is on the ticket.

Ms. Billy stated that AIHEC is working with the hotels, airlines, and venue owner associated with the AIHEC Student Conference to release the conference host committee (Southwest TCUs) from any financial liability due to conference contracts, as well as with major airlines to potentially recoup payments made by TCUs (related to planned travel to the conference), or to secure credits in the name of the college, rather than the students.

B. FY 2021 Appropriations

Ms. Atine stated the FY2021 appropriations process is still underway with the same deadlines, despite the shift to address the COVID-19 pandemic. As in years past, AIHEC is working with Congressional offices to increase TCU funding through "sign on" letters in which multiple members of Congress sign a single funding request letter. There are four letters this year: House and Senate letters supporting increased TCCUAA funding and House and Senate letters supporting increased 1994 Land-grant funding from the Department of Agriculture. Three of four letters have been completed and submitted based on appropriations subcommittee deadlines, and one letter is being circulated and will be submitted before the deadline.

Congressional staff have encouraged AIHEC to include a request for TCU infrastructure needs, including deferred maintenance, construction, IT, and broadband access. AIHEC conducted a TCU infrastructure survey in 2018, which 22 TCUs completed. From this request, AIHEC can extrapolate a request for all 35 accredited TCUs. To respond to urgent requests for data from

Congressional offices, Ms. Billy asked the committee whether AIHEC should conduct a new survey or use the 2018 survey results.

MOTION:

President McDonald moved [seconded by President Martin] to reaffirm the 2018 TCU capital infrastructure survey results, including cost estimates.

OUTCOME:

The motion was agreed to by voice vote.

C. HEA and TCCUAA Legislation

Ms. Atine and Ms. Billy are working with the Senate Committee on Indian Affairs and Senate Health, Education, Labor, and Pensions (HELP) Committee to review, negotiate, and advance the AIHEC proposed amendments to the Higher Education Act (HEA) and TCCUAA, both in an HEA reauthorization bill as well as in a freestanding bill. (However, only the TCCUAA amendments likely will be introduced separately.) Before the COVID-19 pandemic, HELP Committee Chairman Lamar Alexander (R-TN) and Ranking Member Patty Murray (D-WA) were negotiating policy priorities for a potential HEA reauthorization bill. However, no one is talking about HEA reauthorization currently.

D. Fort Lewis College

As a follow up to a meeting held at the AIHEC Central Office on January 21, 2020 with Fort Lewis College (FLC) and the University of Minnesota-Morris (UM-M), Ms. Atine and Ms. Billy met with Senate and House staff from Colorado and Minnesota to discuss TCU concerns with the Native American Indian Education Act (H.R. 1688/S.759). The legislation would shift responsibility from the states of Colorado and Minnesota to the federal government to provide tuition payments to FLC and UM-M for out of state American Indian and Alaska Native (AI/AN) students. AIHEC reiterated the importance of upholding the federal trust and treaty obligations and reviewed the original intent of the agreements made by Colorado and Minnesota to provide free education to AI/ANs.

During the meeting, a concept was discussed to create a funding priority or set-aside within the Native American Serving Nontribal Institution category (HEA, section 319) for institutions with high AI/AN student enrollments. Institutions receiving this grant funding would be required to verify AI/AN tribal enrollment along with other grant criteria.

AIHEC continues to oppose any legislation absolving state obligations to tribes.

E. Executive Branch: USDA Meeting w/ MSIs

John Phillips, AIHEC Land-grant Director, attended the USDA-MSI meeting on March 11, 2020 and will prepare a summary of the meeting for TCU presidents. The roundtable meeting was hosted by USDA and included a handful of representatives from historically black colleges and universities (HBCUs), Hispanic serving institutions (HSIs) and Mr. Phillips. One of Mr. Phillip's request to USDA was to designate a TCU contact person within each USDA mission area.

V. TCU & CENTRAL OFFICE UPDATES & ISSUES

AIHEC Meetings

A. Cancellation of the 2020 Spring BoD Meeting and the 2020 AIHEC Student Conference

The committee meetings associated with the 2020 Spring Board of Directors meeting will occur virtually via video conferencing (Zoom) over the next several weeks. The 2020 Spring Board of Directors meeting was cancelled, pursuant to the AIHEC bylaws.

President Martin asked that the AIHEC Student Conference Host Committee (Southwest TCUs) receive a copy of the letters sent to the hotels and Convention Center regarding contract termination. Ms. Billy said she would send copies and stated that three of the four contracted hotels have agreed to relieve the host committee and/or AIHEC of any contractual financial liability. Negotiations with the DoubleTree and the Albuquerque Convention Center continue.

B. Summer Board of Directors Meeting (Duluth, MN)

AIHEC's summer Board of Directors meeting is scheduled for July 8-10, 2020. A decision will need to be made regarding whether to conduct the meeting in person or virtually. One alternative could be to hold the summer meeting in late July, either just prior to or immediately after the TCU Summer Meeting at SKC, which is scheduled for July 27-30, 2020.

C. Status of Other AIHEC Meetings

All AIHEC sponsored meetings scheduled through June 2020 have been canceled or postponed, including the AIHEC Student L.I.F.E. Conference.

COVID-19 Pandemic for Issues with TCUs

On March 27, AIHEC will host a conference call for TCUs to discuss the status of the COVID-19 emergency funding package and provide an opportunity for TCUs to share best practices in response to COVID-19 pandemic. Examples of discussion topics include adjustments to career and technical classes and migrating to online classes to finish the academic year.

President Guy stated that Navajo Technical University (NTU) shortened the period for mid-term exams to provide staff and faculty with more time to adjust to online and distance teaching. Following NTU's spring break, classes will transition to online formats. NTU's insurance allows for quarantined personnel to apply for short-term disability to help cover costs and expenses while unable to work.

President McDonald added United Tribes Technical College was already on spring break when restrictions related to COVID-19 were implemented. The decision was made to transition most classes online and to start practicing social distancing measures for career and technical courses. President McDonald plans to place certain staff on administrative leave and retain essential staff on an "as needed" status until further notice.

President Martin said the Institute of American Indian Arts sent all staff and faculty home, except for essential employees, as of yesterday. All courses have transitioned to online instruction. All students in student housing have either been sent home or have been moved to the family housing apartments. Staff are scheduled to return to campus on April 6, but President Martin is not optimistic about the chances for returning by that date.

President Bible said the College of the Muscogee Nation submitted a request for a waiver from the Higher Learning Commission to begin offering all classes via distance education. All students have been sent home and will receive hard copies of their coursework and assignments. A team of faculty is providing one-on-one instruction with no more than 10 people in the library at a time. Anyone over the age of 65, pregnant women, and anyone with health issues is urged to stay home and stay safe. Graduation has been postponed until August 2020.

President Yarlott added that Little Big Horn College has suspended all in-person classes, closed the campus to the public, and transitioned to online/distance learning. Spring break is next week and provides staff time to rectify any issues with online instruction. The campus closure will be extended for the next few weeks until more information on the virus is available.

American Indian College Fund Elections

The American Indian College Fund asked the AIHEC Board of Directors to consider three specific issues related to board membership during the AIHEC 2020 Spring Board of Directors meeting. Since the board meeting has been canceled and AICF's Summer meeting may be held prior to AIHEC's summer meeting, staff asked the Committee for a decision on how to proceed with the reaffirmation of presidents holding positions on the College Fund board that are eligible for re-appointment and the nomination of presidents to fill the two vacant positions College Fund board.

The Executive Committee reaffirmed the positions held by presidents who are eligible for re-nomination under the College Fund bylaws.

The two open positions are:

- New three-year term beginning July 1, 2020, to replace President Pearl Brower.
- One-year (potentially 10-year) appointment to replace President Carole Falcon-Chandler.

MOTION:

President Martin moved [seconded by President Bible] to re-nominate Presidents Lindquist, McDonald and Yarlott to the American Indian College Fund board.

OUTCOME:

The motion was agreed to by voice vote.

MOTION:

President Lindquist moved [seconded by President Bible] to nominate President Carla Sineway, Saginaw Chippewa Tribal College, to fill the three-year term on the American Indian College Fund board.

OUTCOME:

The motion was agreed to by voice vote.

MOTION:

President Bible moved [seconded by President Lindquist] to nominate President Michael Oltrogge, Nebraska Indian Community College, to fill the one-year term on the American Indian College Fund board.

OUTCOME:

The motion was agreed to by voice vote.

VI. Miscellaneous & New Business

President Bible requested an update on Bacone College. Ms. Billy stated the status is unchanged from the last executive committee meeting. Ms. Billy has been in contact with Nicole Been, Bacone College Vice President of Strategic Initiatives and Special Projects, and informed her that the AIHEC Spring BoD meeting was canceled and that we will follow-up once we determined how to proceed with re-scheduling. The AIHEC Membership and Accreditation Committee must review the Bacone College application and AIHEC report as part of the application process for AIHEC membership. The Membership and Accreditation Committee will determine whether Bacone College meets the requirement for AIHEC membership as a regular member. This determination and associated recommendations will then be presented to the full AIHEC board for further consideration. It was noted that Bacone College has not yet provided copies of tribal charters, as requested by AIHEC.

VII. For Your Information: CLB Significant Meetings and Planned Travel

Feb. 11-13: BMGF IFS Convening (New Orleans, LA); Feb. 12: House Interior Appropriations Subcommittee testimony; Feb. 18-21: ATD Dream Conference (organized/led panel and speaker; Feb. 28: CO/MN Delegation Mtg (WDC); Mar. 3: Secretariat Mtg; State of HBCUs (panelist)(WDC); Mar.

4:ESCOP, ECOP Partners Mtg (VA); Mar. 10-11: Regional Compacts OER Policy Mtg (Atlanta); USDA Mtg w/MSIs (WDC). NOTE: No travel occurred, due to the COVID-19 pandemic.

VIII. ADJOURNMENT

MOTION:

President Martin moved [seconded by President Lindquist] that the March meeting of the AIHEC Executive Committee be adjourned.

OUTCOME:

The motion was agreed to by voice vote.

Accordingly, the meeting was adjourned at 2:17 pm EST.

Minutes prepared by AIHEC staff.

Executed and acknowledged by the undersigned Secretary of the Board of the Corporation.

Leander R. McDonald, Secretary
American Indian Higher Education Consortium

Date

MINUTES OF THE AIHEC 2020 APRIL EXECUTIVE COMMITTEE MEETING
Thursday, April 16, 2020

I. CALL TO ORDER

AIHEC Vice-Chair, President Elmer Guy, called the April 2020 meeting of the AIHEC Executive Committee to order at 12:06 p.m. EDT. The roll was called with the following results:

Members Present:

David Yarlott, Jr., Chair

Elmer Guy, Vice-Chair

Justin Guillory, Treasurer

Robert Martin, Student Activities Committee Chair

Robert Bible, Membership & Accreditation Chair

Cynthia Lindquist, Member-at-Large

Members Not Present:

Leander R. McDonald, Secretary & Research Committee Chair

A quorum was established.

AIHEC staff: Carrie Billy, Patrese Atine and Treasure Dunlap

II. REVIEW & APPROVE OF THE MEETING AGENDA

MOTION:

President Guy moved [seconded by President Bible] to approve the meeting agenda.

OUTCOME:

The motion was agreed to by voice vote.

III. REVIEW & APPROVAL OF THE MARCH 2020 COMMITTEE MINUTES

MOTION:

President Guy moved [seconded by President Lindquist] to approve the March 2020 committee minutes.

OUTCOME:

The motion was agreed to by voice vote.

IV. CORONAVIRUS EMERGENCY RELIEF: Federal Funding & Agency Implementation Plans

Ms. Billy and Ms. Atine provided a brief overview of federal COVID-19 relief measures. Currently, some members of Congress are discussing a potential fifth COVID-19 relief package. However, the discussions are moving at a much slower pace than previous COVID-19 relief bills. The consensus is that neither the House nor Senate will be in session in Washington D.C. until the week of May 4, 2020.

A. CARES Act

Eligible "Tribal Colleges and Universities": Ms. Billy clarified that Title VII of the Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES Act), which provides no less than \$20 million for Tribal Colleges through the Bureau of Indian Education in emergency, short term financial aid, specifically uses the term "Tribal Colleges and Universities", which is defined in section 316 of the Higher Education Act of 1965 and includes all 35 accredited Tribal Colleges and Universities.

Department of Education's "90 Percent Fund": This fund includes two separate funding opportunities, (1) direct emergency student aid grants and (2) emergency institutional aid. TCUs currently are completing required certification forms for the first half of fund, which is to be used only for direct student aid.

Tribal Fund (\$8 billion): Under the CARES Act, \$8 billion in funding is to be provided directly to tribes. The Departments of the Interior (DOI) and Treasury held several listening sessions to seek input on the distribution of funding. During the session, only a few speakers have listed education – including higher education – as a priority for funding. As part of the distribution process, DOI and Treasury have asked tribes to submit forms reporting tribal population and tribal expenditures. Ms. Billy has contacted the DOI to ask whether TCUs should be included in the report of tribal expenditures.

BIE Indian Education Stabilization Fund: Under the CARES Act, one half of one percent of the overall Education Stabilization Fund, or \$153 million, is provided to BIE. The Department of Education (ED) is recommending that a tribal consultation be held to determine the distribution of funding between K-12 schools and TCUs. It has been reported to AIHEC that certain ED staff do not believe TCUs should receive a portion of the BIE Fund. A tentative date for a tribal consultation has been set for April 24, 2020. AIHEC will notify TCU presidents if this tribal consultation is formally announced.

B. AIHEC/TCU Funding Requests: Future COVID-19 Relief Packages

As Congress turns to the development of additional COVID-19 relief packages, AIHEC has identified a list of ongoing TCU needs related to the pandemic. These include: (1) Projected funding losses during academic year 2020-2021, related to cutbacks in aid from Tribes, declining enrollment, and increased tuition write-offs; (2) TCU IT infrastructure needs (new set-aside proposed for TCUs within the U.S. Department of Agriculture's Rural Utilities Service); and (3) TCU deferred maintenance and facilities development.

As part of AIHEC's effort to secure TCU designation as institutions eligible to participate in the federal E-rate program, AIHEC has held multiple meetings with Congressional staff and staff from the Federal Communications Commission (FCC) to discuss the politics surrounding the E-rate program. The response has been widespread lack of support, and even strong opposition in some cases, from both Democrats and Republicans alike. Democrats are opposed to opening the E-rate program for any reason, fearing that Republicans will use any change in the E-rate program as an opportunity to gut the program (as they have attempted in the past) and Republicans are opposed to expanding the program, which they believe is funded through increased taxes on Americans. Based on this information, AIHEC has pivoted to request a new set-aside for TCUs within the U.S. Department of Agriculture's Rural Utilities Service, while keeping the E-rate program eligibility request in mind, should a viable situation arise.

MSI Joint Request Letter: AIHEC and other national organizations representing historically black colleges and universities (HBCUs), Hispanic serving institutions (HSIs), and other groups have sent a joint letter to Congress making specific requests for the next COVID-19 relief package. The letter includes requests for an additional \$1 billion in funding, a broadband and technology fund, \$6.5 billion in research and development funding, \$10 billion in infrastructure funding for MSIs, and a waiver for allowable uses in the Minority Science Engineering and Improvement program.

Association of Public Land-Grant Universities (APLU) Request Letter: AIHEC has signed a letter requesting \$80 million in extension funding (\$1.5 million for 1994 land-grant institutions), \$300 million in research funding, and \$8.4 billion in infrastructure funding, to be included in the next COVID-19 relief package. AIHEC was asked to provide a recommendation for distribution of the potential \$1.5 million to TCUs:

- Option 1: equal distribution among all 35 institutions, which results in approximately \$43,000 per institution
- Option 2: provide 20 competitive awards approximately \$75,000 each.

Following a brief discussion, the committee agreed that Option 1 (equal distribution of \$43,000 to each TCU) would be the easiest and quickest way to distribute the funding, should it transpire.

Finally, AIHEC is requesting clarification on some of SBA loan eligibility criteria, including the Mainstream Lending program.

C. Other Issues

Transfer of Credit: The American Council on Education and others representing the U.S. higher education system have developed a 'Statement of Principles' regarding college credits earned by students during semesters impacted by the COVID-19 pandemic, including decisions to offer students the choice of receiving pass/fail grades, rather than letter grades, and the acceptance of pass/fail credits in the future. Higher education experts believe a set of standard practices around these issues is necessary because of disruptions to students caused by the pandemic and new temporary flexibility in the CARES Act which allows students to withdraw from classes with no penalty and permits institutions to opt to use a pass/fail grading system. Currently, many colleges and universities, including TCUs, refuse to accept most pass/fail credits. AIHEC and other national higher education organizations have been asked to endorse the Statement of Principles, which is included in the meeting packet.

MOTION:

President Guy moved [seconded by President Bible] that the American Indian Higher Education Consortium (AIHEC) endorses the Statement of Principles on Acceptance of Credit, April 16, 2020, developed by six national higher education associations, and encourages all Tribal Colleges and Universities to carefully consider the Principles.

OUTCOME:

The motion was agreed to by voice vote.

TCU Faculty Development re Distance Education: The Bill and Melinda Gates Foundation (BMGF) awarded AIHEC a general operating grant due to the COVID-19 pandemic. AIHEC has decided to use the funding to support a 6- or 8-week intensive summer course for TCU faculty designed to help faculty excel in distance education. The course will include sessions on assessment and advising, with a special focus on student engagement and the specific needs of AI/AN students. We anticipate being able to support about 120 TCU faculty, who will be organized into cohorts of 20-30. The program will begin in mid-June.

V. Non-COVID-19 Related Legislative Update

While Congress is focused on COVID-19 related legislation, appropriations committees are continuing to move forward with the fiscal year 2021 appropriations process. The reauthorizations of the Tribally Controlled Colleges and Universities Assistance Act and the Higher Education Act of 1965 remain priorities for AIHEC. However, with the current focus on the COVID-19 pandemic, Congress is not expected to take up any non-COVID related issues, other than appropriations for the remainder of the 116th Congress.

VI. TCU and AIHEC Central Office Updates & Issues

A. AIHEC Meetings

All AIHEC sponsored meetings scheduled during Summer 2020 and Fall 2020 have been canceled or postponed until a later date, this includes the Student LIFE Conference.

The Summer Board meeting will be virtual. The executive committee determine a set of professional development activities to be held in conjunction with the board meeting.

B. AIHEC Staff & Central Office

AIHEC has provided financial support to all staff to support them during the COVID-19 pandemic. Additionally, an AIHEC exercise fund was created to support physical fitness for AIHEC staff during the COVID-19 pandemic. Ms. Billy has allocated general operating support from the BMGF, awarded to AIHEC due to the exertions of the grueling and months-long Intermediaries for Success grant proposal writing process, for this support to AIHEC staff.

VII. Miscellaneous & New Business

President Guy announced that the World Indigenous Peoples Conference on Education (WIPCE) and annual World Indigenous Nations Higher Education Consortium (WINHEC) meeting have been postponed until early November 2021. The meetings are scheduled to be held in Adelaide, Australia.

He requested information on federal loans for faculty and staff housing.

VIII. ADJOURNMENT

MOTION:

President Lindquist moved [seconded by President Martin] that the April meeting of the AIHEC Executive Committee be adjourned.

OUTCOME:

The motion was agreed to by voice vote.

Accordingly, the meeting was adjourned at 1:48 pm EST.

Minutes prepared by AIHEC staff.

Executed and acknowledged by the undersigned Secretary of the Board of the Corporation.

Leander R. McDonald, Secretary
American Indian Higher Education Consortium

Date

MINUTES OF THE AIHEC 2020 MAY EXECUTIVE COMMITTEE MEETING
Thursday, May 21, 2020

I. CALL TO ORDER

AIHEC Vice-Chair, President Guy, called the May 2020 meeting of the AIHEC Executive Committee to order at 12:07 pm EDT. The roll was called with the following results:

Members Present:

Elmer Guy, Vice-Chair

Leander R. McDonald, Secretary & Research Committee Chair

Justin Guillory, Treasurer

Robert Martin, Student Activities Committee Chair

Robert Bible, Membership & Accreditation Chair

Cynthia Lindquist, Member-at-Large

Members Not Present:

David Yarlott, Jr., Chair

A quorum was established.

AIHEC staff: Carrie Billy, Patrese Atine and Treasure Dunlap

II. REVIEW & APPROVE OF THE MEETING AGENDA

President Guy presented the agenda for the May 2020 committee meeting.

MOTION:

President McDonald moved [seconded by President Bible] to approve the meeting agenda.

OUTCOME:

The motion was agreed to by voice vote.

III. REVIEW & APPROVAL OF THE APRIL 2020 COMMITTEE MINUTES

MOTION:

President McDonald moved [seconded by President Martin] to approve the April 2020 committee minutes.

OUTCOME:

The motion was agreed to by voice vote.

IV. CORONAVIRUS EMERGENCY RELIEF: FEDERAL FUNDING & AGENCY/TCU IMPLEMENTATION

A. CARES Act: Implementation

HEERF-MSI/TCU Funding: Tribal Colleges and Universities (TCUs) were provided \$50.4 million under the CARES Act's provision establishing an additional and specific fund for Minority Serving Institutions (MSIs) and Title III eligible institutions under the Higher Education Emergency Relief Fund. Shortly after enactment of the CARES legislation, the Department of Education (ED) agreed with AIHEC that it would use the distribution formula currently used by the Higher Education Act (HEA) Title III TCU program to distribute the CARES Act MSI-TCU fund. On April 30, 2020, ED announced the availability of these funds and published a list of grant awards by institution using a different funding formula that adversely impacts the vast majority of TCUs. Ms. Billy has been

working with ED to correct this mistake. An updated list of grant awards by institution, using the correct distribution formula for TCUs, should be published and available for TCUs next week.

Interior/BIE funding (\$69 million): The funding intended for BIE K-12 schools and TCUs has not yet been distributed to all intended recipients. Thirty-three of the eligible TCUs have received their portion of this funding. The two BIE operated postsecondary institutions have not: Haskell Indian Nations University (HINU) and Southwestern Indian Polytechnic Institute (SIPI). At the direction of BIE, each BIE-operated recipient was required to submit a budget for review and approval before funds could be released. Despite submitting the budgets, funding has yet to be released to HINU, SIPI, and the BIE-operated and funded K-12 schools.

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B. Heroes Act: Overview/Update and TCU Requests

The Heroes Act (H.R. 6800) is the fourth legislative relief package in response to the COVID-19 pandemic. The Heroes Act includes \$90 billion for education, which is \$60 billion more than the CARES Act. While the Heroes Act does not provide as many targeted funding line items for TCUs, the overall funding provided directly to the Bureau of Indian Education is significantly greater and includes TCUs. Similarly, the MSI specific fund would provide a slightly greater amount for TCUs. The Heroes Act was introduced by House Democrats on May 12, 2020 and passed the House three days later with a party-line vote. The Heroes Act moves to the Senate for further consideration, where little if no action is expected any time soon.

| CARES Act (Enacted) | | | Heroes Act (Pending) | | |
|---|--------------------------------|---------------------------------|---|---|----------|
| <i>Total Education Funding: \$30.75 billion</i> | TCUs | BIE K-12 | <i>Total Education Funding: \$90 billion</i> | TCUs | BIE K-12 |
| ED: 90 Percent Fund | \$13.5 million | N/A | ED: New State Fiscal Stabilization Fund | \$0 | N/A |
| ED MSI/Title III Fund (\$1.047 b) | \$50.4 million | N/A | ED MSI/Title III Fund (\$1.708 b) | \$82 million | N/A |
| Interior/BIE (\$69 million): | \$22.9 million | \$46 million | Interior/BIE: \$0 | \$0 | \$0 |
| BIE Education Stabilization Fund (.5 of State Fund, w/ED consultation - \$153 million): | <i>Estimated:</i> \$51 million | <i>Estimated:</i> \$102 million | BIE Stabilization Fund (.5 of State Stabilization Fund) | Split unspecified – vague language. Total: \$450 million | |

AIHEC provided recommendations to House leadership on the design and potential implementation of Heroes Act funding to avoid the complications experienced with current CARES Act funding, including using the HEA Title III TCU distribution formula and separate BIE administrative authority and oversight for BIE funding.

AIHEC and other higher education organization are advocating for the inclusion of other time sensitive and high priority provisions in the next relief package. These efforts include the expansion of certain CARES Act programs and funding, including higher education participation in the Main Street Lending program.

AIHEC has outlined three major requests for the next COVID-19 legislative relief package:

- \$65 million to cover projected TCU revenue losses;
- \$24 million TCU set-aside within USDA-Rural Utility Service for broadband;
- \$500 million for a BIE TCU Deferred Maintenance and Rehabilitation Fund.

A document outlining these requests is included on page 6 of the meeting packet.

Senators Kevin Cramer (R-ND) and Tina Smith (D-MN) are co-leading a letter to Senate leadership requesting \$65 million in BIE funding for TCUs to cover projected revenue losses. Currently, 10-12 Senators, primarily Democrats, have signed on to the letter.

The Heroes Act, as passed by the House, will not pass the Senate. In fact, it is anticipated that the Senate will draft its own – and very different – COVID-19 relief package. AIHEC continues working to ensure TCUs are included in any future relief package.

V. Legislative & Executive Branch Updates & Issues

Appropriations, FY 2021 and Authorizing Legislation

The FY 2021 appropriations process continues to move forward. Before the COVID-19 pandemic, all appropriations subcommittees were accepting written testimonies, which AIHEC submitted. AIHEC staff anticipate that the subcommittees will hold virtual hearings to carry out official business. In considering any potential TCU funding increase, House Republican staff have reached out to AIHEC to seek input on equitable TCU distribution methods for the future. There is a long-standing need for the development of a formula to determine funding within TCUs, based on the unique needs of individual TCUs. However, this has been a controversial topic in the past.

VI. TCU and AIHEC Central Office Updates & Issues

A. AIHEC Meetings

The AIHEC summer board meeting will be held July 8-10, 2020 via Zoom. Currently, the Board meeting is scheduled for 2-3 hours on July 10, 2020. The first two days will consist of professional development or presentations. AIHEC staff requested guidance from the committee. Suggestions included: (1) Presidential Leadership in Times of Crisis (meeting the needs of students and faculty; best practices and models, etc.); Title IX Compliance; Planning and budgeting.

In the past, the AIHEC fall board meeting has been held in conjunction with the annual National Indian Education Association (NIEA) convention. NIEA is planning an in-person convention in Albuquerque, NM on October 7-10. However, the committee agreed with AIHEC staff that given the uncertainty regarding the pandemic and potential danger to TCU students, faculty, staff and presidents, AIHEC should err on the side of caution and safety. The committee affirmed the decision to conduct the AIHEC fall board meeting virtually, via Zoom, in early October. This is subject to change depending on the changing COVID-19 safety procedures throughout the year. Updates will be provided at the AIHEC summer board meeting.

B. TCU Updates

Haskell Indian Nations University has selected a new president, Dr. Ronald Graham.

VII. ADJOURNMENT

MOTION:

President Martin moved [seconded by President Lindquist] that the May meeting of the AIHEC Executive Committee be adjourned.

OUTCOME:

The motion was agreed to by voice vote.

Accordingly, the meeting was adjourned at 1:07 pm EST.

Minutes prepared by AIHEC staff.

Executed and acknowledged by the undersigned Secretary of the Board of the Corporation.

Leander R. McDonald, Secretary
American Indian Higher Education Consortium

Date

2020 Summer BoD Meeting

Treasurer's Report

| AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM | | | | |
|--|------|-------------------|-------------------|---------------------|
| FY 2021 CENTRAL OFFICE, & TECHNICAL ASSISTANCE PROGRAM | | | | |
| CONSOLIDATED BUDGET SUMMARY - Final | | | | |
| FY 2021 FINAL BUDGET - SUMMARY | | | | |
| | | CENTRAL | BIE | |
| | | OFFICE | T/A | TOTAL |
| Description | Acct | | | FY 2021 |
| Combined Federal Campaign Pledges | 402 | \$ 7,000 | \$ - | \$ 7,000 |
| BIA Technical Assistance Grant | 405 | \$ - | \$ 601,000 | \$ 601,000 |
| AIHEC Membership Dues | 410 | \$ 946,790 | \$ - | \$ 946,790 |
| Interest Income | 440 | \$ 400 | \$ - | \$ 400 |
| 2020 Carry over | | \$ - | \$ - | \$ - |
| TOTAL REVENUE | | \$ 954,190 | \$ 601,000 | \$ 1,555,190 |
| Salaries & Wages | 500 | \$ 604,336 | \$ 273,651 | \$ 877,987 |
| P/R Taxes & Fringe Benefits | 502 | \$ 145,041 | \$ 65,976 | \$ 211,017 |
| Temporary Staff | 504 | \$ 60,000 | \$ - | \$ 60,000 |
| Consultant Fees | 505 | \$ 85,000 | \$ 7,500 | \$ 92,500 |
| Honoraria & Speaker Gifts | 508 | \$ 2,500 | \$ - | \$ 2,500 |
| Professional Development | 513 | | \$ 22,500 | \$ 22,500 |
| Telecommunications - Office Phones | 515 | \$ 12,500 | | \$ 12,500 |
| Telecommunications - Mobile Phones | 516 | \$ 7,500 | \$ 1,000 | \$ 8,500 |
| Telecommunications - Internet | 517 | \$ 5,000 | \$ 500 | \$ 5,500 |
| Telecommunications - Conference Calls | 518 | \$ 500 | \$ 1,600 | \$ 2,100 |
| Meetings- Room Rental | 522 | \$ 1,500 | \$ 3,500 | \$ 5,000 |
| Meetings - Equipment Rental | 523 | \$ - | \$ 7,000 | \$ 7,000 |
| Meetings- Food & Beverage | 524 | \$ 20,700 | \$ 20,000 | \$ 40,700 |
| Conference Fees | 526 | \$ 2,500 | \$ 3,000 | \$ 5,500 |
| Staff Training | 526 | \$ 5,000 | \$ 1,500 | \$ 6,500 |
| Photocopying | 530 | \$ 2,500 | \$ 6,500 | \$ 9,000 |
| Supplies | 535 | \$ 10,000 | \$ 30,000 | \$ 40,000 |
| Postage and Delivery | 540 | \$ 1,500 | \$ 4,500 | \$ 6,000 |
| Publications & Subscriptions | 543 | \$ 500 | \$ 2,000 | \$ 2,500 |
| Printing & Binding | 544 | \$ 1,500 | \$ 1,500 | \$ 3,000 |
| Reimbursed Expenses - Consultants | 545 | \$ 5,000 | \$ 1,500 | \$ 6,500 |
| Reimbursed Expenses - Non-Staff | 549 | \$ 2,500 | \$ - | \$ 2,500 |
| Travel - Staff Per Diem | 550 | \$ 1,000 | \$ 5,000 | \$ 6,000 |
| Travel - Staff Lodging | 551 | \$ 2,500 | \$ 12,500 | \$ 15,000 |
| Travel - Staff Local | 552 | \$ 3,000 | \$ 2,500 | \$ 5,500 |

| AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM | | | | |
|--|------|--------------|------------|--------------|
| FY 2021 CENTRAL OFFICE, & TECHNICAL ASSISTANCE PROGRAM | | | | |
| CONSOLIDATED BUDGET SUMMARY - Final | | | | |
| FY 2021 FINAL BUDGET - SUMMARY | | | | |
| | | CENTRAL | BIE | TOTAL |
| | | OFFICE | T/A | |
| Description | Acct | | | FY 2021 |
| Travel - Staff Airfare | 553 | \$ 2,500 | \$ 21,800 | \$ 24,300 |
| Travel - Staff Mileage / Car Rental | 554 | \$ 1,500 | \$ 2,500 | \$ 4,000 |
| Travel - Staff Other | 555 | \$ 5,000 | \$ 4,500 | \$ 9,500 |
| Travel - TCU Presidents/Representatives | 557 | \$ 5,000 | \$ - | \$ 5,000 |
| Audit Fees & Taxes Services | 559 | \$ 40,000 | \$ - | \$ 40,000 |
| Design Services & Graphics | 560 | \$ 5,000 | \$ 500 | \$ 5,500 |
| Legal Fees | 561 | \$ 1,500 | \$ - | \$ 1,500 |
| Payroll Services & Bank Fees | 563 | \$ 12,500 | \$ - | \$ 12,500 |
| IT & Website Support | 564 | \$ 15,000 | \$ 18,000 | \$ 33,000 |
| Property Utilities, Repairs & Maintenance | 568 | \$ 60,000 | \$ - | \$ 60,000 |
| Insurance - Business | 572 | \$ 11,000 | \$ - | \$ 11,000 |
| Dues | 574 | \$ 70,700 | \$ - | \$ 70,700 |
| Archive Storage Fees | 576 | \$ 2,500 | \$ - | \$ 2,500 |
| Employee Recruitment Expense | 577 | \$ 2,500 | \$ - | \$ 2,500 |
| Advertising & Promotion | 578 | \$ 12,500 | \$ - | \$ 12,500 |
| AIHEC TCJ - Publication Expense | 580 | | \$ - | \$ - |
| Entertainment/Miscellaneous | 583 | \$ 5,000 | \$ - | \$ 5,000 |
| Indirect Exp Alloc | 589 | \$ (290,000) | \$ 64,794 | \$ (225,206) |
| Equipment (<\$5K) Expense | 590 | \$ 5,000 | \$ 8,000 | \$ 13,000 |
| Equipment Repairs & Maintenance | 591 | \$ 2,413 | \$ 3,000 | \$ 5,413 |
| Computer Software | 593 | \$ 2,500 | \$ 4,179 | \$ 6,679 |
| NET REVENUE OR (EXPENSE) | | \$ 954,190 | \$ 601,000 | \$ (0) |

| American Indian Higher Education Consortium | | | | | | | | | |
|---|---|--------------|--|----------------------------|-----------------|------------------------------------|---|--------------------|-------------------------|
| Grants and Contracts | | | | | | | | | |
| Cost Code: | Funding Sources | Funding Type | Grants Titles/Purpose | Grant Period Budget Period | Award Amount | Awarded Current Grant Year(Budget) | Current Year Disbursement / Expenditures (Actual) | Unexpended Balance | Indirect Expense/Credit |
| 100 | AIHEC Ops. | Private | AIHEC Membership | 10/1/2019 - 9/30/2020 | \$ 932,590.00 | \$ 932,590.00 | \$ 396,817.58 | \$ 535,772.42 | \$ (124,396.11) |
| 130 | AIHEC ASC | Private | AIHEC Student Congress | 10/1/2019 - 9/30/2020 | \$ 17,500.00 | \$ 17,500.00 | \$ 7,804.77 | \$ 9,695.23 | \$ - |
| 131 | AIHEC SLT | Private | AIHEC Student Leadership Training | 10/1/2019 - 9/30/2020 | \$ 45,000.00 | \$ 45,000.00 | \$ - | \$ 45,000.00 | \$ - |
| 140 | TCJ | Private | Tribal College Journal | 10/1/2019 - 9/30/2020 | \$ 358,740.00 | \$ 358,740.00 | \$ 178,828.00 | \$ 179,912.00 | \$ - |
| 200 | Bureau of Indian Education (BIE) | Federal | TCU Technical Assistance | 10/1/2019 - 9/30/2020 | \$ 601,000.00 | \$ 601,000.00 | \$ 343,756.02 | \$ 257,243.98 | \$ 32,268.96 |
| 235 | Department of the Interior | Federal | DOI Records Management Course Development Project: AIHEC, in coordination with DOI and selected TCUs will develop and offer two 16-week records management course for online and traditional classroom delivery. | 7/1/2016 - 6/30/2021 | \$ 650,000.00 | \$ 129,235.00 | \$ 92,132.23 | \$ 37,102.77 | \$ 6,755.91 |
| 415 | IHS-Health and Human Services | Federal | Growing the AI/AN Research Community: An Native Research Network (NRN) and AIHEC Health Research Initiative. | 2/1/2017 - 1/31/2022 | \$ 210,500.00 | \$ 72,962.00 | \$ 11,241.56 | \$ 61,720.44 | \$ 588.78 |
| 423 | NIH IPERT Asetone Network Project | Federal | Asetone Network Project: A multi-institutional initiative that will provide outreach, education, and mentoring activities to students at the nation's 37 Tribal Colleges and universities. | 9/1/2017 - 3/31/2023 | \$ 465,600.00 | \$ 465,600.00 | \$ 119,589.27 | \$ 346,010.73 | \$ 7,454.15 |
| 424 | DOD | Federal | AIHEC/DOD TCU Partnerships in Research and Education Program (TCUPREP) | 2/1/2020 - 1/31/2021 | \$ 2,998,439.75 | \$ 597,692.76 | \$ 53,688.04 | \$ 544,004.72 | \$ 4,765.21 |
| 426 | Corporation for National and Community Service (CNCS) | Federal | VISTA-Corporation for National and Community Service | 4/14/2019 - 4/11/2020 | \$ 25,000.00 | \$ 25,000.00 | \$ - | \$ 25,000.00 | \$ - |
| 441 | DOE Advanced Manufacturing Network-Phase III | Federal | Tribal Colleges and Universities Advanced Manufacturing Network-Phase II: This initiative will expand faculty professional development, development of advanced manufacturing courses and a Summer Institute hosted annually by a Tribal College for faculty and students. | 10/1/2019 - 9/30/2020 | \$ 1,591,684.69 | \$ 1,591,684.69 | \$ 1,071,681.83 | \$ 520,002.86 | \$ 18,670.77 |

| American Indian Higher Education Consortium | | | | | | | | | |
|---|---|--------------|---|----------------------------|---------------|------------------------------------|---|--------------------|-------------------------|
| Grants and Contracts | | | | | | | | | |
| Cost Code: | Funding Sources | Funding Type | Grants Titles/Purpose | Grant Period Budget Period | Award Amount | Awarded Current Grant Year(Budget) | Current Year Disbursement / Expenditures (Actual) | Unexpended Balance | Indirect Expense/Credit |
| 433 | USDA-OPPE | Federal | Outreach and Assistance for Socially Disadvantaged and Veteran Farmers and Ranchers Program: This project will provide direct services to Native farmers, ranchers and veterans in at least four Tribal nations through local agribusiness practice improvement workshops and one-on-one technical assistance interactions with area farmers and ranchers by trained undergraduate student fellows, TCU land-grant staff, and regional USDA personnel. | 9/30/2019 - 9/29/2022 | \$ 665,754.30 | \$ 218,891.70 | \$ 176,931.43 | \$ 41,960.27 | \$ 15,266.49 |
| 498 | Bureau of Indian Affairs | Federal | BIA Climate Change Adaption Tribal Liaison: will support one tribal science liaison in the Southwest Climate Science Center to address tribal climate change science needs. | 6/15/2016 - 9/30/2022 | \$ 845,756.00 | \$ 154,092.00 | \$ 67,145.09 | \$ 86,946.91 | \$ 7,300.98 |
| 546 | Lumina Foundation | Private | To Support Research on factors that influence participation and completion of American Indian/Alaskan Native (AI/AN) Students | 7/1/2019 - 8/31/2020 | \$ 207,000.00 | \$ 206,998.00 | \$ 33,298.29 | \$ 173,699.71 | \$ 3,620.67 |
| 680 | Native American Agriculture Fund (NAAF) | Private | To support the success of Native farmers and ranchers | 1/1/2020 - 12/31/2020 | \$ 125,000.00 | \$ 125,000.00 | \$ 130.93 | \$ 124,869.07 | \$ 14.24 |
| 701 | AIHEC AIMS Data Services (A*CF) | Private | AIHEC-AIMS | 1/1/2020 - 12/31/2020 | \$ 100,000.00 | \$ 100,000.00 | \$ 43,473.56 | \$ 56,526.44 | \$ - |
| 664 | Gates Foundation | Private | General Operating Support | 7/25/2019 - 12/31/2020 | \$ 470,000.00 | \$ 470,000.00 | \$ 33,299.13 | \$ 436,700.87 | \$ 3,620.76 |



Investor Statement

April 27, 2018- June 30, 2020

Prepared for

AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

AMERICAN INDIAN HIGHER EDUCATI
OPERATING RESERVE FUND
121 ORONOCO ST
ALEXANDRIA VA 22314

Advisor

Sovereign Investment Advisors, LLC

Table of Contents

| Page | Group Reports | Mkt Val |
|-------------------------------------|---|-----------------|
| 1 | All Accounts | \$ 1,659,539.23 |
| Account Reports ¹ | | Mkt Val |
| 5 | AIHEC - ASC ENDOWMENT 99414814 | \$ 275,450.10 |
| 12 | AIHEC BOARD DIRECTED FUND 88517606 | 450,307.30 |
| 19 | AIHEC OPERATING RESERVE FUND 88115762 | 933,781.84 |

Please inform your financial advisor of any changes in your financial situation or investment objectives, or if you wish to modify or impose a reasonable restriction on your account. Please contact your financial advisor if you would like to request a current copy of the Form ADV Part 2A or Form ADV Part 2A - Appendix 1 or equivalent brochure, as applicable, for any of the following: Financial Advisor, Money Manager(s) and/or Envestnet

Table of Contents Footnotes

¹ These reports are not to be construed as an offer or the solicitation of an offer to buy or sell securities mentioned herein. Information contained in these reports is based on sources and data believed reliable. The information used to construct these reports was received via a variety of sources. These reports are for informational purposes only. These reports do not take the place of any brokerage statements, any fund company statements, or the 1099 tax forms. You are urged to compare this report with the statement you receive from your custodian covering the same period. Differences in positions may occur due to reporting dates used and whether certain assets are not maintained by your custodian. There may also be differences in the investment values shown due to the use of differing valuation sources and methods.

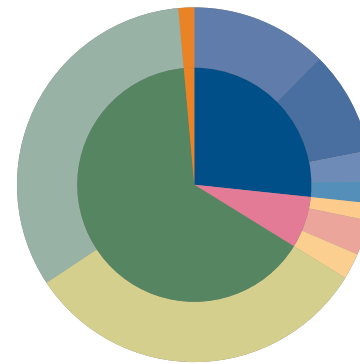
Aggregate Overview

All Accounts

Client Group Summary

| | |
|-----------------------------------|------------------------|
| Custom Start Date | Apr 27, 2018 |
| Total Value | \$ 1,659,539.23 |
| Net Investment¹ | \$ 1,563,337.00 |

Asset Allocation



| | |
|------------------------------|----------------|
| Equity | 26.68 % |
| Large-Cap Growth | 12.47 |
| Large-Cap Core | 9.44 |
| Large-Cap Value | 2.76 |
| Small-Cap Core | 2.00 |
| International | 7.13 |
| Int'l Emerging Mkts | 1.56 |
| Foreign Large Cap Growth | 3.18 |
| Foreign Small Mid Cap Growth | 2.39 |
| Fixed Income | 64.75 |
| Intermediate Bond | 31.88 |
| Short Bond | 32.88 |
| Cash | 1.44 |
| Cash | 1.44 |

| Performance ² | This Quarter | Year-to-Date | From Custom Start Date |
|--------------------------|--------------|--------------|------------------------|
| TWRR | 10.05 % | 0.68 % | 3.83 % |

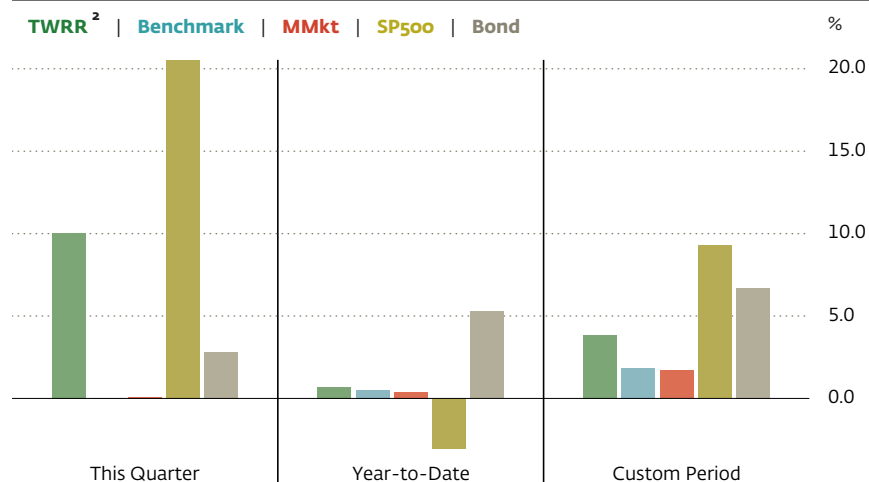
Accounts² / Benchmarks³

| | Market Value | Net ¹ Investment | Qtr to Date | Year to Date | Trailing 4 1 Yr | Trailing 3 Yrs | Trailing 5 Yrs | Trailing 10 Yrs | From Cust Start Date |
|--|---------------|-----------------------------|-----------------------------|--------------|-----------------|----------------|----------------|-----------------|----------------------|
| AIHEC - ASC ENDOWMENT 99414814 | \$ 275,450.10 | \$ 255,000.00 | Custom Start : May 25, 2018 | | | | | | |
| Reporting Only Services | — | — | 14.04 % | 0.28 % | 5.37 % | — | — | — | 3.74 % |
| Benchmark: AIHEC Student Fund IPS Benchmark ⁵ | — | — | 7.65 | -3.75 | 0.50 | — | — | — | 1.27 |
| AIHEC BOARD DIRECTED FUND 88517606 | \$ 450,307.30 | \$ 419,000.00 | Custom Start : May 25, 2018 | | | | | | |
| Reporting Only Services | — | — | 12.10 | -0.55 | 3.46 | — | — | — | 3.49 |
| Benchmark: AIHEC Board Funds IPS Benchmark ⁶ | — | — | 10.48 | 0.40 | 3.76 | — | — | — | 3.84 |
| AIHEC OPERATING RESERVE FUND 88115762 | \$ 933,781.84 | \$ 889,337.00 | Custom Start : Apr 27, 2018 | | | | | | |
| Reporting Only Services | — | — | 7.98 | 1.44 | 5.00 | — | — | — | 4.09 |
| Benchmark: Lipper Money Market Fund | — | — | 0.07 | 0.38 | 1.25 | — | — | — | 1.70 |

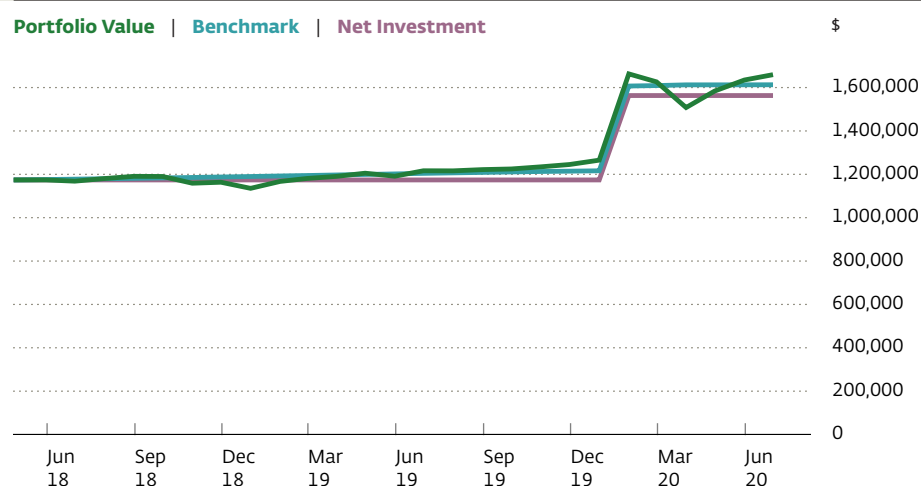
Aggregate Overview

All Accounts

Performance Summary ⁷



Portfolio Value vs. Benchmark ⁸



Quarterly Performance Statistics ⁷

| | TWRR ² | Benchmark | MMkt | SP500 | Bond |
|---------|-------------------|-----------|--------|---------|--------|
| Q2 2020 | 10.05 % | 0.02 % | 0.07 % | 20.54 % | 2.81 % |
| Q1 2020 | -8.51 | 0.47 | 0.31 | -19.60 | 2.40 |
| Q4 2019 | 3.32 | 0.44 | 0.38 | 9.07 | 0.37 |
| Q3 2019 | 0.69 | 0.54 | 0.49 | 1.70 | 1.37 |

Periodic Performance Statistics ⁷

| | TWRR ^{2, 9} | Benchmark | MMkt | SP500 | Bond | |
|-----------------|-----------------------------|-----------|--------|---------|--------|------|
| Year-to-Date | 0.68 % | 0.49 % | 0.38 % | -3.08 % | 5.28 % | |
| Trailing 1 Year | Jun 30, 2019 - Jun 30, 2020 | 4.74 | 1.47 | 1.25 | 7.51 | 7.12 |
| Custom Period | Apr 27, 2018 - Jun 30, 2020 | 3.83 | 1.87 | 1.70 | 9.28 | 6.72 |

Aggregate Overview Footnotes

¹ Net Investment is the total value of contributions and withdrawals (excluding unsupervised assets) made by the client for the period from Apr 27, 2018 to Jun 30, 2020. This includes Misc. Expenses received from the custodian.

² Time Weighted Rate of Return (TWRR) is calculated net of all fees. Time Weighted Rate of Return (TWRR) is used to compare your portfolio returns versus benchmark indices (such as S&P 500).

Aggregate Overview

All Accounts

Aggregate Overview Footnotes

- ³ A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Yearly performance values (e.g. Trailing 3 Years) shown are from the specified period up to Jun 30, 2020. The benchmark(s) for the account(s) 99414814, 88517606 are customized benchmarks that segments specific blended benchmarks into different time periods (as noted herein) to reflect the corresponding changes in your portfolio's investment strategy over time. The benchmark(s) for the account(s) 99414814, 88517606, 88115762 herein has been selected by your financial advisor to reflect the corresponding investment strategy of your portfolio. The intent of these segmented/selected benchmarks is to seek to provide a more accurate comparison to which returns can be evaluated effectively.
- ⁴ Trailing 1 Year is Jun 30, 2019 to Jun 30, 2020
- ⁵ Benchmark designates Lipper Money Market Fund (5/25/2018 - 9/30/2018), 50% Lipper Money Market Fund, 50% Russell 3000 TR (10/1/2018 - 12/31/2018), 45% Bloomberg Barclays Capital U.S. Aggregate Bond TR, 30% Russell 3000 Value TR, 15% MSCI ACWI EX USA PR LCL, 10% Bloomberg Barclays Capital US Treasury Bill 1-3 Mon TR USD (1/1/2019 to date). A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Blended benchmarks are defaulted to rebalance monthly which means that Envestnet will asset weigh the benchmark component returns on a monthly basis using the beginning of the month weights. A daily rebalance option is also offered however may not be available in all cases due to data limitations from providers.
- ⁶ Benchmark designates Lipper Money Market Fund (5/25/2018 - 8/31/2018), 45% Bloomberg Barclays Capital U.S. Aggregate Bond TR, 25% Lipper Money Market Fund, 10% Russell 3000 Value TR, 10% Russell 3000 TR, 10% MSCI ACWI EX USA IMI NR(USD) (9/1/2018 - 12/31/2018), 65% Bloomberg Barclays Capital U.S. Aggregate Bond TR, 20% Bloomberg Barclays Capital US Treasury Bill 1-3 Mon TR USD, 15% Russell 3000 TR (1/1/2019 - 12/31/2019), 50% Bloomberg Barclays Capital U.S. Aggregate Bond TR, 30% Russell 3000 TR, 15% MSCI ACWI Ex USA NR USD, 5% Bloomberg Barclays Capital US Treasury Bill 1-3 Mon TR USD (1/1/2020 to date). A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Blended benchmarks are defaulted to rebalance monthly which means that Envestnet will asset weigh the benchmark component returns on a monthly basis using the beginning of the month weights. A daily rebalance option is also offered however may not be available in all cases due to data limitations from providers.
- ⁷ These figures compare the Time Weighted Rate of Return (TWRR) of your account with a selection of benchmark indices. "Benchmark" refers to the Bloomberg Barclays Capital US Treasury Bill 1-3 Mon TR USD index. "MMkt" refers to the Lipper Money Market Fund index. "SP500" refers to the S&P 500 TR index. "Bond" refers to the Bloomberg Barclays Capital Intermediate U.S. Government/Credit TR index. "Benchmark" described herein has been selected by your financial advisor to reflect the corresponding investment strategy of your portfolio. The intent of this benchmark is to seek to provide a more accurate comparison to which returns can be evaluated effectively. A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Blended benchmarks are defaulted to rebalance monthly which means that Envestnet will asset weigh the benchmark component returns on a monthly basis using the beginning of the month weights. A daily rebalance option is also offered however may not be available in all cases due to data limitations from providers.
- ⁸ Benchmark designates Bloomberg Barclays Capital US Treasury Bill 1-3 Mon TR USD. The Benchmark described herein has been selected by your financial advisor to reflect the corresponding investment strategy of your portfolio. The intent of this benchmark is to seek to provide a more accurate comparison to which returns can be evaluated effectively. A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Blended benchmarks are defaulted to rebalance monthly which means that Envestnet will asset weigh the benchmark component returns on a monthly basis using the beginning of the month weights. A daily rebalance option is also offered however may not be available in all cases due to data limitations from providers.

Aggregate Overview

All Accounts

Aggregate Overview Footnotes

⁹ Returns for greater than one year are annualized.

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Account Overview

AIHEC - ASC ENDOWMENT | 99414814

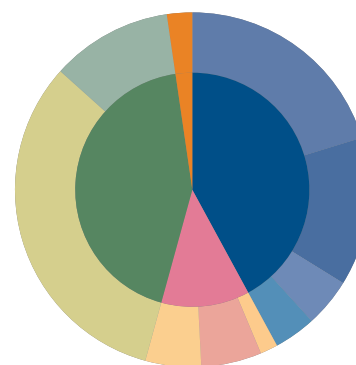
Account Summary

| | |
|------------------------------------|----------------------|
| Custom Start Date | May 25, 2018 |
| Total Value | \$ 275,450.10 |
| Net Investment ¹ | \$ 255,000.00 |

Performance²

| | This Quarter | Year-to-Date | From Custom Start Date |
|------|--------------|--------------|------------------------|
| TWRR | 14.04 % | 0.28 % | 3.74 % |

Asset Allocation



| Category | Value |
|------------------------------|----------------|
| Equity | 42.08 % |
| Large-Cap Growth | 20.26 |
| Large-Cap Core | 13.56 |
| Large-Cap Value | 4.44 |
| Small-Cap Core | 3.83 |
| International | 12.20 |
| Int'l Emerging Mkts | 1.60 |
| Foreign Large Cap Growth | 5.51 |
| Foreign Small Mid Cap Growth | 5.09 |
| Fixed Income | 43.42 |
| Intermediate Bond | 32.38 |
| Short Bond | 11.05 |
| Cash | 2.30 |
| Cash | 2.30 |

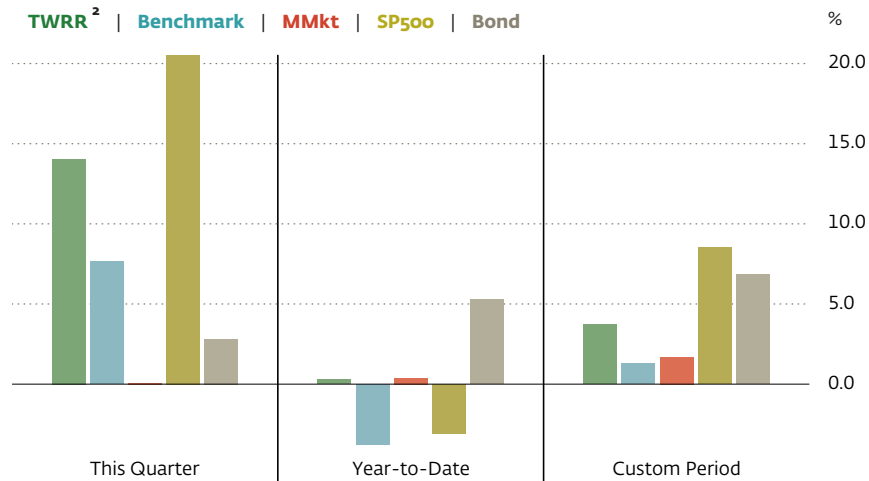
Account² / Benchmark³

| | Market Value | Net ¹ Investment | Qtr to Date | Year to Date | Trailing ⁴ 1 Yr | Trailing 3 Yrs | Trailing 5 Yrs | Trailing 10 Yrs | From Cust Start Date |
|--|---------------|-----------------------------|-----------------------------|--------------|----------------------------|----------------|----------------|-----------------|----------------------|
| AIHEC - ASC ENDOWMENT 99414814 | \$ 275,450.10 | \$ 255,000.00 | Custom Start : May 25, 2018 | | | | | | |
| Reporting Only Services | — | — | 14.04 % | 0.28 % | 5.37 % | — | — | — | 3.74 % |
| Benchmark: AIHEC Student Fund IPS Benchmark ⁵ | — | — | 7.65 | -3.75 | 0.50 | — | — | — | 1.27 |

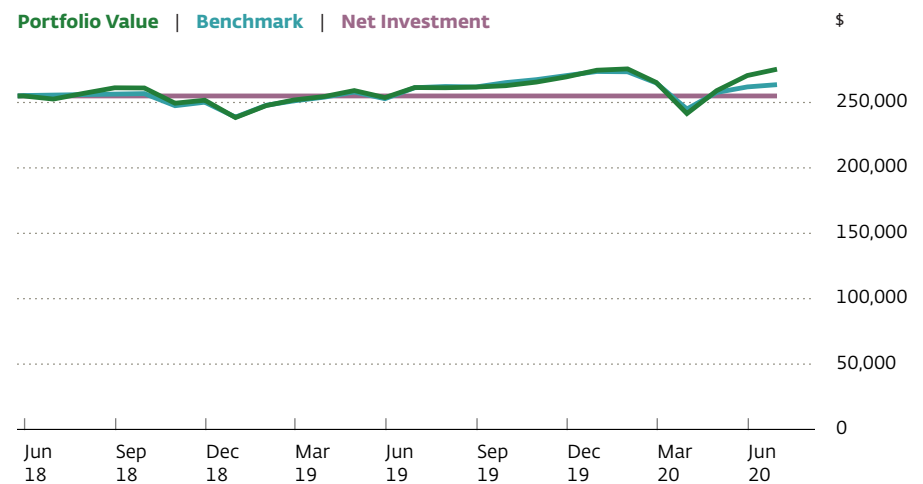
Account Overview

AIHEC - ASC ENDOWMENT | 99414814

Performance Summary ⁶



Account Value vs. Benchmark ⁷



Quarterly Performance Statistics ⁶

| | TWRR ² | Benchmark | MMkt | SP500 | Bond |
|---------|-------------------|-----------|--------|---------|--------|
| Q2 2020 | 14.04 % | 7.65 % | 0.07 % | 20.54 % | 2.81 % |
| Q1 2020 | -12.06 | -9.83 | 0.31 | -19.60 | 2.40 |
| Q4 2019 | 4.50 | 3.24 | 0.38 | 9.07 | 0.37 |
| Q3 2019 | 0.54 | 1.45 | 0.49 | 1.70 | 1.37 |

Periodic Performance Statistics ⁶

| | TWRR ^{2, 8} | Benchmark | MMkt | SP500 | Bond | |
|-----------------|-----------------------------|-----------|--------|---------|--------|------|
| Year-to-Date | 0.28 % | -3.75 % | 0.38 % | -3.08 % | 5.28 % | |
| Trailing 1 Year | Jun 30, 2019 - Jun 30, 2020 | 5.37 | 0.50 | 1.25 | 7.51 | 7.12 |
| Custom Period | May 25, 2018 - Jun 30, 2020 | 3.74 | 1.27 | 1.70 | 8.54 | 6.82 |

Account Overview Footnotes

¹ Net Investment is the total value of contributions and withdrawals (excluding unsupervised assets) made by the client for the period from May 25, 2018 to Jun 30, 2020. This includes Misc. Expenses received from the custodian.

² Time Weighted Rate of Return (TWRR) is calculated net of all fees. Time Weighted Rate of Return (TWRR) is used to compare your portfolio returns versus benchmark indices (such as S&P 500).

Account Overview

AIHEC - ASC ENDOWMENT | 99414814

Account Overview Footnotes

³ A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Yearly performance values (e.g. Trailing 3 Years) shown are from the specified period up to Jun 30, 2020. The benchmark(s) for the account(s) 99414814 are customized benchmarks that segments specific blended benchmarks into different time periods (as noted herein) to reflect the corresponding changes in your portfolio's investment strategy over time. The benchmark(s) for the account(s) 99414814 herein has been selected by your financial advisor to reflect the corresponding investment strategy of your portfolio. The intent of these segmented/selected benchmarks is to seek to provide a more accurate comparison to which returns can be evaluated effectively.

⁴ Trailing 1 Year is Jun 30, 2019 to Jun 30, 2020

⁵ Benchmark designates Lipper Money Market Fund (5/25/2018 - 9/30/2018), 50% Lipper Money Market Fund, 50% Russell 3000 TR (10/1/2018 - 12/31/2018), 45% Bloomberg Barclays Capital U.S. Aggregate Bond TR, 30% Russell 3000 Value TR, 15% MSCI ACWI EX USA PR LCL, 10% Bloomberg Barclays Capital US Treasury Bill 1-3 Mon TR USD (1/1/2019 to date). A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Blended benchmarks are defaulted to rebalance monthly which means that Envestnet will asset weigh the benchmark component returns on a monthly basis using the beginning of the month weights. A daily rebalance option is also offered however may not be available in all cases due to data limitations from providers.

⁶ These figures compare the Time Weighted Rate of Return (TWRR) of your account with a selection of benchmark indices. "Benchmark" refers to a blend composed of Lipper Money Market Fund (5/25/2018 - 9/30/2018), 50% Lipper Money Market Fund, 50% Russell 3000 TR (10/1/2018 - 12/31/2018), 45% Bloomberg Barclays Capital U.S. Aggregate Bond TR, 30% Russell 3000 Value TR, 15% MSCI ACWI EX USA PR LCL, 10% Bloomberg Barclays Capital US Treasury Bill 1-3 Mon TR USD (1/1/2019 to date). "MMkt" refers to the Lipper Money Market Fund index. "SP500" refers to the S&P 500 TR index. "Bond" refers to the Bloomberg Barclays Capital Intermediate U.S. Government/Credit TR index. "Benchmark" is a customized benchmark created by your financial advisor that segments specific blended benchmarks into different time periods (as noted herein) to reflect the corresponding changes in your portfolio's investment strategy over time. The intent of these segmented benchmarks is to seek to provide a more accurate comparison to which returns can be evaluated effectively. A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Blended benchmarks are defaulted to rebalance monthly which means that Envestnet will asset weigh the benchmark component returns on a monthly basis using the beginning of the month weights. A daily rebalance option is also offered however may not be available in all cases due to data limitations from providers.

⁷ The Benchmark is composed of Lipper Money Market Fund (5/25/2018 - 9/30/2018), 50% Lipper Money Market Fund, 50% Russell 3000 TR (10/1/2018 - 12/31/2018), 45% Bloomberg Barclays Capital U.S. Aggregate Bond TR, 30% Russell 3000 Value TR, 15% MSCI ACWI EX USA PR LCL, 10% Bloomberg Barclays Capital US Treasury Bill 1-3 Mon TR USD (1/1/2019 to date). Benchmark is a customized benchmark created by your financial advisor that segments specific blended benchmarks into different time periods (as noted herein) to reflect the corresponding changes in your portfolio's investment strategy over time. The intent of these segmented benchmarks is to seek to provide a more accurate comparison to which returns can be evaluated effectively. A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Blended benchmarks are defaulted to rebalance monthly which means that Envestnet will asset weigh the benchmark component returns on a monthly basis using the beginning of the month weights. A daily rebalance option is also offered however may not be available in all cases due to data limitations from providers.

⁸ Returns for greater than one year are annualized.

Account Overview

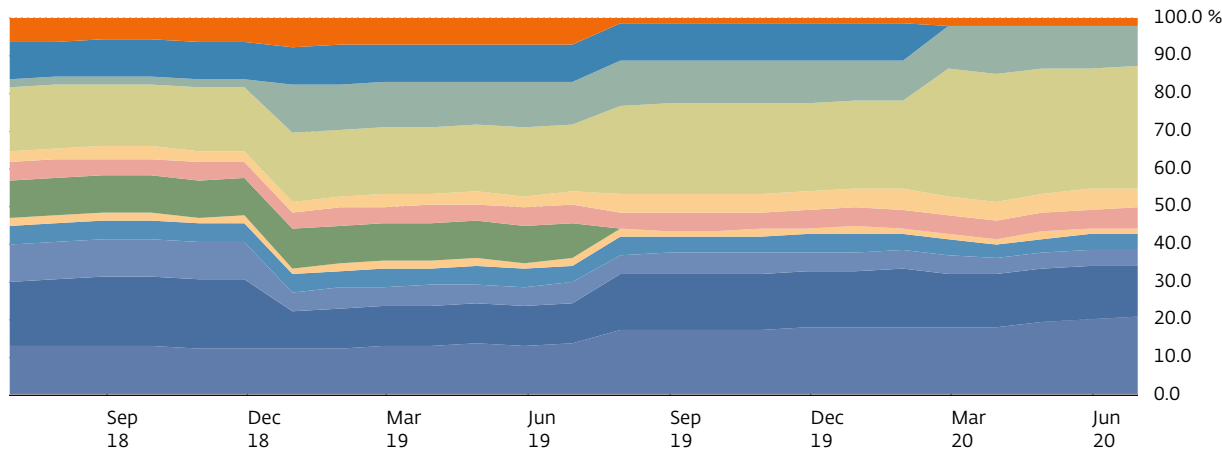
AIHEC - ASC ENDOWMENT | 99414814

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Allocation Over Time

AIHEC - ASC ENDOWMENT | 99414814

Asset Allocation



| Asset Class | Jul 2018 | Oct 2018 | Jan 2019 | Apr 2019 | Jul 2019 | Oct 2019 | Jan 2020 | Apr 2020 | Jun 2020 |
|-------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Lg Cap Gwth | 12.45 % | 12.14 % | 12.25 % | 13.16 % | 16.95 % | 17.09 % | 17.90 % | 19.01 % | 20.26 % |
| Lg Cap Core | 17.89 | 18.13 | 10.42 | 10.81 | 14.80 | 14.83 | 15.00 | 14.05 | 13.56 |
| Lg Cap Val | 9.99 | 9.92 | 5.27 | 5.29 | 5.27 | 5.27 | 5.16 | 4.54 | 4.44 |
| Sm Cap Core | 5.02 | 4.71 | 4.65 | 4.71 | 4.60 | 4.49 | 4.40 | 3.75 | 3.83 |
| Emerging Mkts | 1.98 | 1.87 | 2.04 | 1.97 | 1.88 | 1.87 | 1.71 | 1.66 | 1.60 |
| Bank Loan | 9.77 | 10.13 | 10.04 | 9.86 | — | — | — | — | — |
| Fgn Lg Cap Gwth | 4.83 | 4.31 | 4.50 | 4.76 | 4.59 | 4.64 | 4.82 | 4.90 | 5.51 |
| Fgn Smid Cap Gwth | 3.10 | 2.98 | 3.09 | 3.23 | 5.07 | 5.11 | 5.34 | 5.01 | 5.09 |
| Interm. Bond | 16.82 | 17.12 | 17.88 | 17.42 | 23.57 | 23.75 | 23.36 | 33.07 | 32.38 |
| Short Bond | 1.95 | 2.02 | 12.01 | 11.59 | 11.55 | 11.37 | 10.98 | 11.60 | 11.05 |
| Alt Fxd Income | 9.75 | 10.07 | 10.16 | 9.85 | 9.83 | 9.68 | 9.40 | — | — |
| Cash | 6.45 | 6.58 | 7.69 | 7.36 | 1.90 | 1.90 | 1.92 | 2.41 | 2.30 |

Security Performance

AIHEC - ASC ENDOWMENT | 99414814

| Fund Holdings | Custom Start Date | Market ¹ Value | % of Total | Income ² Earned | QTD Perf. | YTD Perf. | Trailing ³ 1 Yr | Trailing 3 Yrs | From Cust ⁴ Start Date |
|---|-------------------|---------------------------|------------|----------------------------|-----------|-----------|----------------------------|----------------|-----------------------------------|
| BBH Limited Duration N BBBMX | Jun 19, 2018 | \$ 5,302 | 1.92 % | \$ 297 | 3.98 % | 0.56 % | 2.00 % | — | 2.93 % |
| DFA US Small Cap I DFSTX | Jun 19, 2018 | 10,537 | 3.83 | 961 | 23.54 | -16.90 | -11.71 | — | -9.74 |
| DoubleLine Core Fixed Income I DBLFX | Jun 19, 2018 | 27,779 | 10.09 | 1,857 | 5.41 | 1.94 | 3.78 | — | 5.38 |
| Edgewood Growth Instl EGFIX | Jun 19, 2018 | 55,801 | 20.26 | 1,465 | 29.80 | 14.88 | 25.84 | — | 16.23 |
| iShares Edge MSCI Min Vol Emerg Mkts ETF EEMV | Jun 19, 2018 | 4,420 | 1.60 | 251 | 12.00 | -10.42 | -9.32 | — | -3.34 |
| iShares Edge MSCI Min Vol USA USMV | Jun 19, 2018 | 37,348 | 13.56 | 1,462 | 12.81 | -6.58 | 0.29 | — | 8.71 |
| Janus Henderson Multi-Sector Income I JMUIX | Feb 18, 2020 | 23,877 | 8.67 | 425 | 9.58 | — | — | — | -4.40 |
| Janus Henderson Short Duration Inc ETF VNLA | Dec 26, 2018 | 25,130 | 9.12 | 1,354 | 2.46 | 2.08 | 3.37 | — | 4.26 |
| JHancock Disciplined Value I JVLIX | Jun 19, 2018 | 12,216 | 4.44 | 3,000 | 16.73 | -17.60 | -10.12 | — | -4.16 |
| Royce International Premier Investment RIPNX | Jun 19, 2018 | 14,010 | 5.09 | 100 | 21.60 | -7.34 | 2.31 | — | 5.05 |
| Vanguard International Growth Adm VWILX | Jun 19, 2018 | 15,172 | 5.51 | 711 | 33.01 | 12.37 | 24.55 | — | 10.11 |
| Western Asset Core Plus Bond I WACPX | Jun 19, 2018 | 37,521 | 13.62 | 2,330 | 6.58 | 4.19 | 7.86 | — | 8.72 |

Security Performance Footnotes

¹ Based on market-close prices at Jun 30, 2020. Where Mutual Fund holdings are listed, the Net Asset Value (NAV) is used as the market price.

² Income Earned includes interest, dividends, foreign tax paid on dividends, and gain distributions from the start date.

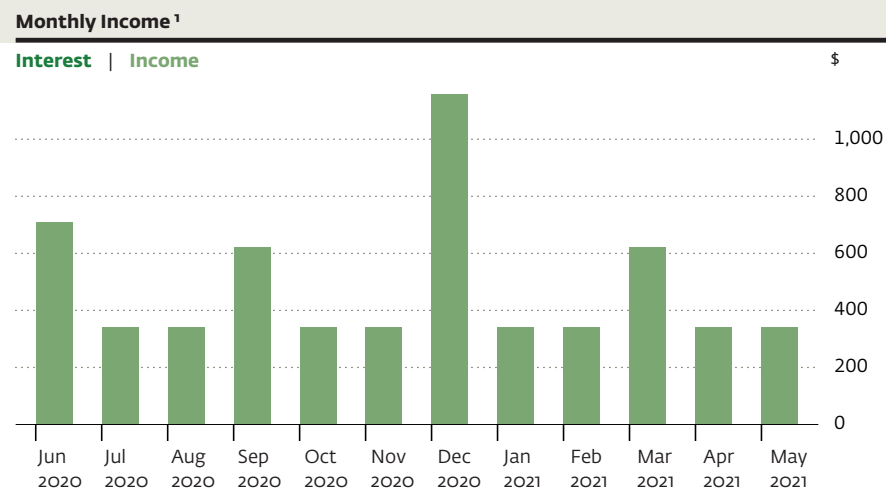
³ Trailing 1 Year is Jun 30, 2019 to Jun 30, 2020

⁴ The custom start date for each holding is the date of the first buy or the transfer date (for holdings transferred into the account)

Income Schedule Summary

AIHEC - ASC ENDOWMENT | 99414814

| Summary | Interest | Income | Total |
|-----------------|-------------|-----------------|-----------------|
| June, 2020 | \$ 0 | \$ 710 | \$ 710 |
| July, 2020 | 0 | 341 | 341 |
| August, 2020 | 0 | 341 | 341 |
| September, 2020 | 0 | 621 | 621 |
| October, 2020 | 0 | 341 | 341 |
| November, 2020 | 0 | 341 | 341 |
| December, 2020 | 0 | 1,159 | 1,159 |
| January, 2021 | 0 | 341 | 341 |
| February, 2021 | 0 | 341 | 341 |
| March, 2021 | 0 | 621 | 621 |
| April, 2021 | 0 | 341 | 341 |
| May, 2021 | 0 | 341 | 341 |
| Total | \$ 0 | \$ 5,839 | \$ 5,839 |



Income Schedule Summary Footnotes

¹ Projected equity dividends in the Income Schedule are provided for informational purposes only. Data is generated from the most recent equity dividend payment for the given equity security, and replicated using the current quantity and next expected dividend payment date. There is no assurance that projected equity dividends will actually pay the projected amount on the projected date. The estimates generated by this tool regarding the likelihood of various cash payments are hypothetical in nature, do not reflect the actual payments and are not guarantees of future payments. When available, the coupon rate of some fixed income and/or the current interest rate or most recently declared dividends for certain securities are annualized to create the Estimated Annual Income ("EAI") figure. EAI is an estimate, and your actual income may be lower or higher. Additionally, estimates may include return of principal or capital gains which would render them overstated. EAI is based on mathematical calculations of available data, and have been obtained from information providers believed to be reliable, but no assurance can be made as to accuracy. Since the interest and dividend rates are subject to change at any time, and may be affected by current and future economic, political and business conditions, they should not be relied on for making investment, trading or tax decisions.

Account Overview

AIHEC BOARD DIRECTED FUND | 88517606

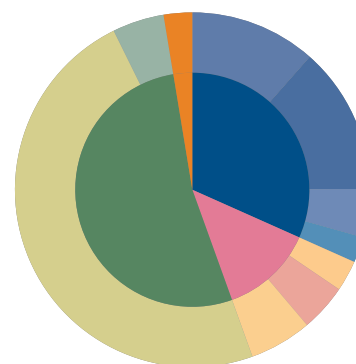
Account Summary

| | |
|------------------------------------|----------------------|
| Custom Start Date | May 25, 2018 |
| Total Value | \$ 450,307.30 |
| Net Investment ¹ | \$ 419,000.00 |

Performance²

| | This Quarter | Year-to-Date | From Custom Start Date |
|------|--------------|--------------|------------------------|
| TWRR | 12.10 % | -0.55 % | 3.49 % |

Asset Allocation



| Category | Value |
|------------------------------|----------------|
| Equity | 31.68 % |
| Large-Cap Growth | 11.52 |
| Large-Cap Core | 13.41 |
| Large-Cap Value | 4.41 |
| Small-Cap Core | 2.34 |
| International | 12.82 |
| Int'l Emerging Mkts | 2.82 |
| Foreign Large Cap Growth | 4.31 |
| Foreign Small Mid Cap Growth | 5.69 |
| Fixed Income | 52.91 |
| Intermediate Bond | 48.20 |
| Short Bond | 4.71 |
| Cash | 2.60 |
| Cash | 2.60 |

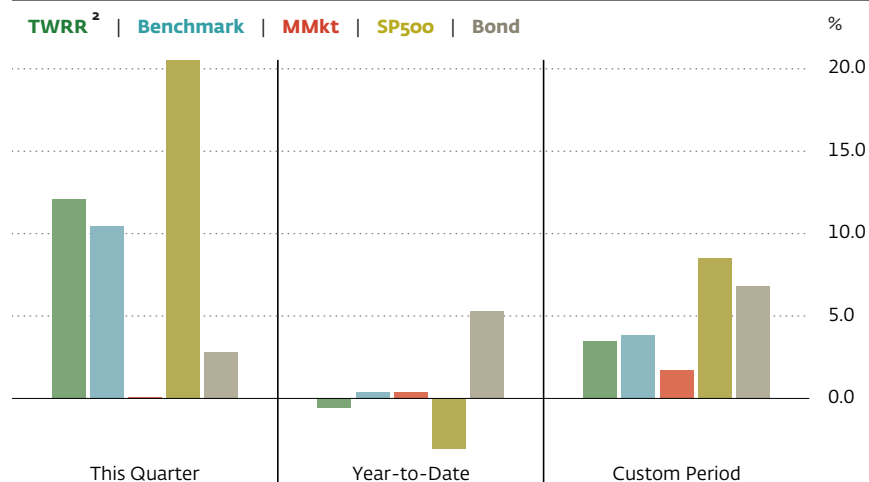
Account² / Benchmark³

| | Market Value | Net ¹ Investment | Qtr to Date | Year to Date | Trailing ⁴ 1 Yr | Trailing 3 Yrs | Trailing 5 Yrs | Trailing 10 Yrs | From Cust Start Date |
|---|---------------|-----------------------------|-----------------------------|--------------|----------------------------|----------------|----------------|-----------------|----------------------|
| AIHEC BOARD DIRECTED FUND 88517606 | \$ 450,307.30 | \$ 419,000.00 | Custom Start : May 25, 2018 | | | | | | |
| Reporting Only Services | — | — | 12.10 % | -0.55 % | 3.46 % | — | — | — | 3.49 % |
| Benchmark: AIHEC Board Funds IPS Benchmark ⁵ | — | — | 10.48 | 0.40 | 3.76 | — | — | — | 3.84 |

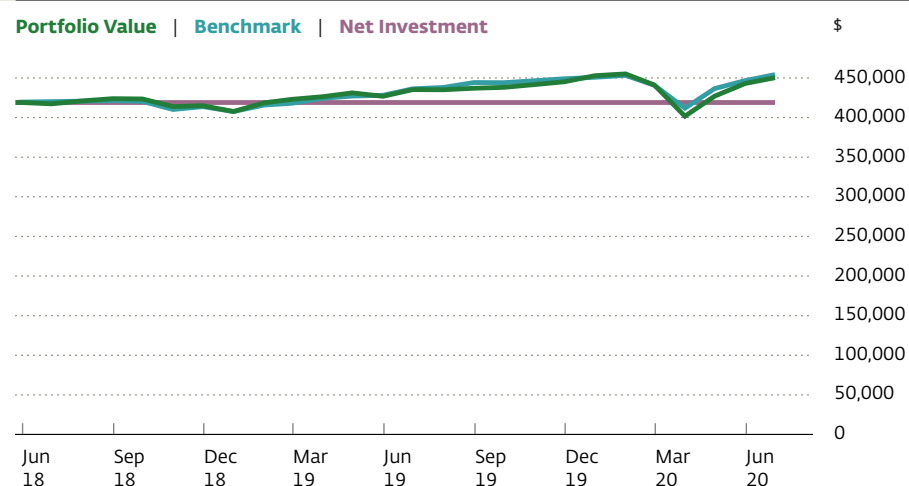
Account Overview

AIHEC BOARD DIRECTED FUND | 88517606

Performance Summary⁶



Account Value vs. Benchmark⁷



Quarterly Performance Statistics⁶

| | TWRR ² | Benchmark | MMkt | SP500 | Bond |
|---------|-------------------|-----------|--------|---------|--------|
| Q2 2020 | 12.10 % | 10.48 % | 0.07 % | 20.54 % | 2.81 % |
| Q1 2020 | -11.29 | -8.18 | 0.31 | -19.60 | 2.40 |
| Q4 2019 | 3.35 | 1.57 | 0.38 | 9.07 | 0.37 |
| Q3 2019 | 0.66 | 1.76 | 0.49 | 1.70 | 1.37 |

Periodic Performance Statistics⁶

| | TWRR ^{2, 8} | Benchmark | MMkt | SP500 | Bond | |
|-----------------|-----------------------------|-----------|--------|---------|--------|------|
| Year-to-Date | -0.55 % | 0.40 % | 0.38 % | -3.08 % | 5.28 % | |
| Trailing 1 Year | Jun 30, 2019 - Jun 30, 2020 | 3.46 | 3.76 | 1.25 | 7.51 | 7.12 |
| Custom Period | May 25, 2018 - Jun 30, 2020 | 3.49 | 3.84 | 1.70 | 8.54 | 6.82 |

Account Overview Footnotes

¹ Net Investment is the total value of contributions and withdrawals (excluding unsupervised assets) made by the client for the period from May 25, 2018 to Jun 30, 2020. This includes Misc. Expenses received from the custodian.

² Time Weighted Rate of Return (TWRR) is calculated net of all fees. Time Weighted Rate of Return (TWRR) is used to compare your portfolio returns versus benchmark indices (such as S&P 500).

Account Overview

AIHEC BOARD DIRECTED FUND | 88517606

Account Overview Footnotes

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- ⁴ Trailing 1 Year is Jun 30, 2019 to Jun 30, 2020
- ⁵ Benchmark designates Lipper Money Market Fund (5/25/2018 - 8/31/2018), 45% Bloomberg Barclays Capital U.S. Aggregate Bond TR, 25% Lipper Money Market Fund, 10% Russell 3000 Value TR, 10% Russell 3000 TR, 10% MSCI ACWI EX USA IMI NR(USD) (9/1/2018 - 12/31/2018), 65% Bloomberg Barclays Capital U.S. Aggregate Bond TR, 20% Bloomberg Barclays Capital US Treasury Bill 1-3 Mon TR USD, 15% Russell 3000 TR (1/1/2019 - 12/31/2019), 50% Bloomberg Barclays Capital U.S. Aggregate Bond TR, 30% Russell 3000 TR, 15% MSCI ACWI Ex USA NR USD, 5% Bloomberg Barclays Capital US Treasury Bill 1-3 Mon TR USD (1/1/2020 to date). A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Blended benchmarks are defaulted to rebalance monthly which means that Envestnet will asset weigh the benchmark component returns on a monthly basis using the beginning of the month weights. A daily rebalance option is also offered however may not be available in all cases due to data limitations from providers.
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- ⁸ Returns for greater than one year are annualized.

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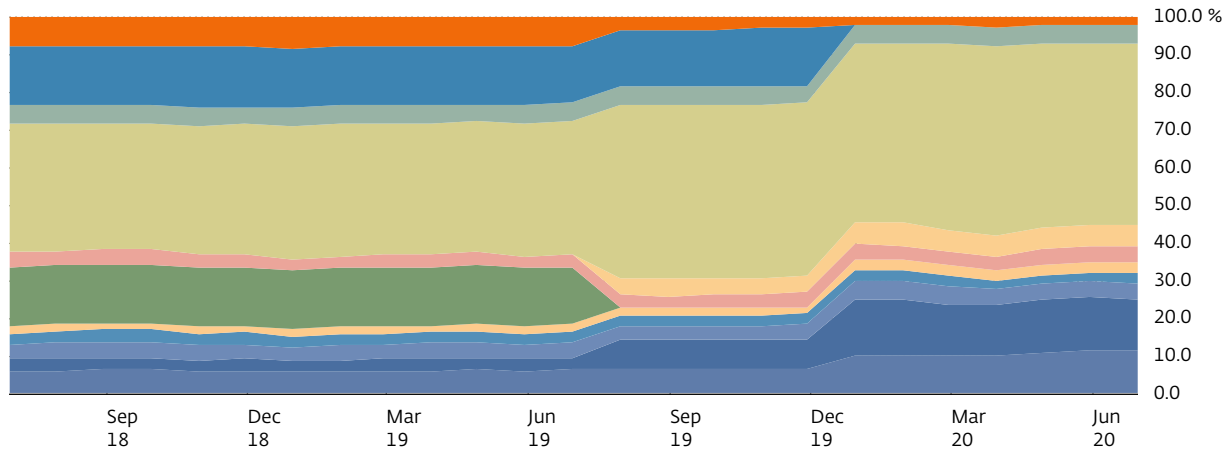
AIHEC BOARD DIRECTED FUND | 88517606

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Allocation Over Time

AIHEC BOARD DIRECTED FUND | 88517606

Asset Allocation



| Asset Class | Jul 2018 | Oct 2018 | Jan 2019 | Apr 2019 | Jul 2019 | Oct 2019 | Jan 2020 | Apr 2020 | Jun 2020 |
|-------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Lg Cap Gwth | 5.94 % | 5.72 % | 5.66 % | 6.18 % | 6.18 % | 6.24 % | 10.08 % | 10.72 % | 11.52 % |
| Lg Cap Core | 3.04 | 3.08 | 3.08 | 3.25 | 7.69 | 7.72 | 14.69 | 13.78 | 13.41 |
| Lg Cap Val | 4.15 | 4.06 | 3.98 | 4.06 | 4.04 | 4.05 | 5.07 | 4.47 | 4.41 |
| Sm Cap Core | 3.06 | 2.84 | 2.75 | 2.83 | 2.76 | 2.70 | 2.67 | 2.28 | 2.34 |
| Emerging Mkts | 2.05 | 1.91 | 2.04 | 2.00 | 1.91 | 1.90 | 2.97 | 2.89 | 2.82 |
| Bank Loan | 15.52 | 15.88 | 15.45 | 15.41 | — | — | — | — | — |
| Fgn Lg Cap Gwth | 3.78 | 3.33 | 3.41 | 3.66 | 3.53 | 3.57 | 3.74 | 3.81 | 4.31 |
| Fgn Smid Cap Gwth | — | — | — | — | 4.51 | 4.56 | 5.92 | 5.56 | 5.69 |
| Interm. Bond | 33.91 | 34.14 | 34.88 | 34.52 | 45.63 | 45.87 | 47.61 | 48.93 | 48.20 |
| Short Bond | 4.77 | 4.88 | 4.86 | 4.78 | 4.79 | 4.76 | 4.66 | 4.85 | 4.71 |
| Alt Fxd Income | 15.48 | 15.80 | 15.64 | 15.40 | 15.35 | 15.15 | — | — | — |
| Cash | 8.31 | 8.36 | 8.24 | 7.91 | 3.61 | 3.48 | 2.59 | 2.72 | 2.60 |

Security Performance

AIHEC BOARD DIRECTED FUND | 88517606

| Fund Holdings | Custom Start Date | Market ¹ Value | % of Total | Income ² Earned | QTD Perf. | YTD Perf. | Trailing ³ 1 Yr | Trailing 3 Yrs | From Cust ⁴ Start Date |
|---|----------------------|------------------------------|---------------|-------------------------------|--------------|--------------|-------------------------------|-------------------|--------------------------------------|
| BBH Limited Duration N BBBMX | Jun 19, 2018 | \$ 21,208 | 4.71 % | \$ 1,188 | 3.98 % | 0.56 % | 2.00 % | — | 2.93 % |
| DFA US Small Cap I DFSTX | Jun 19, 2018 | 10,537 | 2.34 | 961 | 23.54 | -16.90 | -11.71 | — | -9.74 |
| DoubleLine Core Fixed Income I DBLFX | Jun 19, 2018 | 111,201 | 24.69 | 7,435 | 5.41 | 1.94 | 3.78 | — | 5.38 |
| Edgewood Growth Instl EGFIX | Jun 19, 2018 | 51,877 | 11.52 | 1,165 | 29.80 | 14.88 | 26.21 | — | 16.40 |
| Holbrook Income I HOBIX | Jul 29, 2019 | 29,002 | 6.44 | 1,027 | 13.41 | -4.76 | — | — | -2.87 |
| iShares Edge MSCI Min Vol Emerg Mkts ETF EEMV | Jun 19, 2018 | 12,688 | 2.82 | 572 | 12.00 | -10.42 | -9.31 | — | -3.33 |
| iShares Edge MSCI Min Vol USA USMV | Jun 19, 2018 | 60,387 | 13.41 | 1,482 | 12.81 | -6.58 | 0.27 | — | 8.70 |
| JHancock Disciplined Value I JVLIX | Jun 19, 2018 | 19,837 | 4.41 | 2,814 | 16.73 | -17.60 | -10.12 | — | -4.10 |
| Royce International Premier Investment RIPNX | Jul 29, 2019 | 25,614 | 5.69 | 121 | 21.60 | -7.34 | — | — | 3.88 |
| Vanguard International Growth Adm VWILX | Jun 19, 2018 | 19,429 | 4.31 | 910 | 33.01 | 12.37 | 24.55 | — | 10.11 |
| Western Asset Core Plus Bond I WACPX | Jun 19, 2018 | 76,826 | 17.06 | 4,989 | 6.58 | 4.19 | 7.93 | — | 8.75 |

Security Performance Footnotes

¹ Based on market-close prices at Jun 30, 2020. Where Mutual Fund holdings are listed, the Net Asset Value (NAV) is used as the market price.

² Income Earned includes interest, dividends, foreign tax paid on dividends, and gain distributions from the start date.

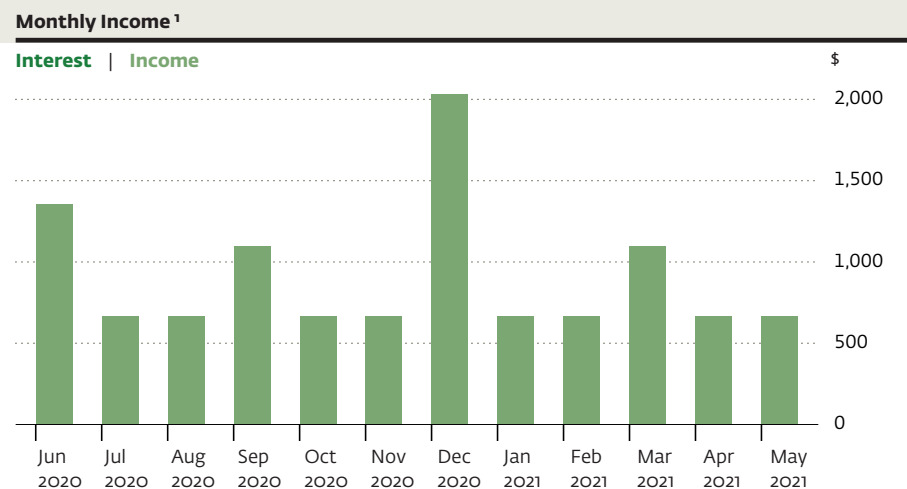
³ Trailing 1 Year is Jun 30, 2019 to Jun 30, 2020

⁴ The custom start date for each holding is the date of the first buy or the transfer date (for holdings transferred into the account)

Income Schedule Summary

AIHEC BOARD DIRECTED FUND | 88517606

| Summary | Interest | Income | Total |
|-----------------|-------------|------------------|------------------|
| June, 2020 | \$ 0 | \$ 1,356 | \$ 1,356 |
| July, 2020 | 0 | 668 | 668 |
| August, 2020 | 0 | 668 | 668 |
| September, 2020 | 0 | 1,101 | 1,101 |
| October, 2020 | 0 | 668 | 668 |
| November, 2020 | 0 | 668 | 668 |
| December, 2020 | 0 | 2,034 | 2,034 |
| January, 2021 | 0 | 668 | 668 |
| February, 2021 | 0 | 668 | 668 |
| March, 2021 | 0 | 1,101 | 1,101 |
| April, 2021 | 0 | 668 | 668 |
| May, 2021 | 0 | 668 | 668 |
| Total | \$ 0 | \$ 10,936 | \$ 10,936 |



Income Schedule Summary Footnotes

¹ Projected equity dividends in the Income Schedule are provided for informational purposes only. Data is generated from the most recent equity dividend payment for the given equity security, and replicated using the current quantity and next expected dividend payment date. There is no assurance that projected equity dividends will actually pay the projected amount on the projected date. The estimates generated by this tool regarding the likelihood of various cash payments are hypothetical in nature, do not reflect the actual payments and are not guarantees of future payments. When available, the coupon rate of some fixed income and/or the current interest rate or most recently declared dividends for certain securities are annualized to create the Estimated Annual Income ("EAI") figure. EAI is an estimate, and your actual income may be lower or higher. Additionally, estimates may include return of principal or capital gains which would render them overstated. EAI is based on mathematical calculations of available data, and have been obtained from information providers believed to be reliable, but no assurance can be made as to accuracy. Since the interest and dividend rates are subject to change at any time, and may be affected by current and future economic, political and business conditions, they should not be relied on for making investment, trading or tax decisions.

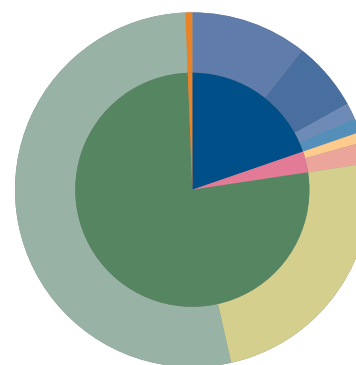
Account Overview

AIHEC OPERATING RESERVE FUND | 88115762

Account Summary

| | |
|------------------------------------|----------------------|
| Custom Start Date | Apr 27, 2018 |
| Total Value | \$ 933,781.84 |
| Net Investment ¹ | \$ 889,337.00 |

Asset Allocation



| Category | Value |
|--------------------------|----------------|
| Equity | 19.72 % |
| Large-Cap Growth | 10.64 |
| Large-Cap Core | 6.31 |
| Large-Cap Value | 1.47 |
| Small-Cap Core | 1.30 |
| International | 2.90 |
| Int'l Emerging Mkts | 0.95 |
| Foreign Large Cap Growth | 1.95 |
| Fixed Income | 76.76 |
| Intermediate Bond | 23.86 |
| Short Bond | 52.90 |
| Cash | 0.62 |
| Cash | 0.62 |

Performance²

| | This Quarter | Year-to-Date | From Custom Start Date |
|------|--------------|--------------|------------------------|
| TWRR | 7.98 % | 1.44 % | 4.09 % |

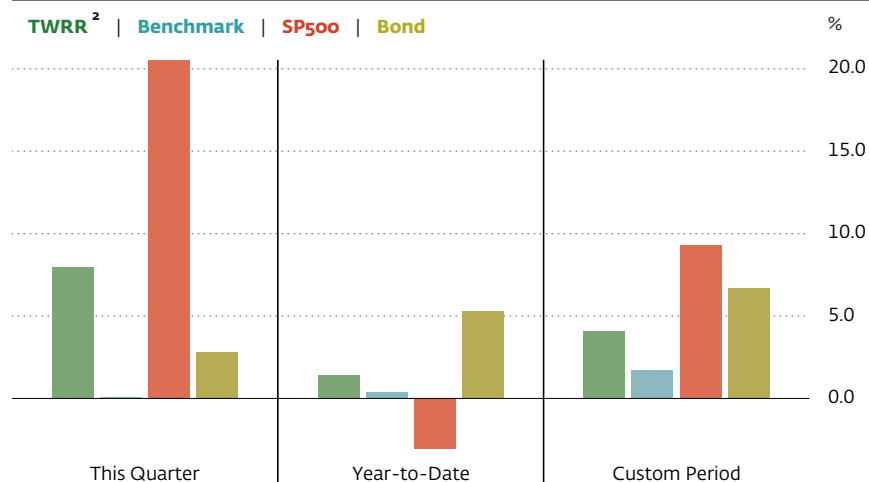
Account² / Benchmark³

| | Market Value | Net ¹ Investment | Qtr to Date | Year to Date | Trailing ⁴ 1 Yr | Trailing 3 Yrs | Trailing 5 Yrs | Trailing 10 Yrs | From Cust Start Date |
|---|---------------|-----------------------------|-----------------------------|--------------|----------------------------|----------------|----------------|-----------------|----------------------|
| AIHEC OPERATING RESERVE FUND 88115762 | \$ 933,781.84 | \$ 889,337.00 | Custom Start : Apr 27, 2018 | | | | | | |
| Reporting Only Services | — | — | 7.98 % | 1.44 % | 5.00 % | — | — | — | 4.09 % |
| Benchmark: Lipper Money Market Fund | — | — | 0.07 | 0.38 | 1.25 | — | — | — | 1.70 |

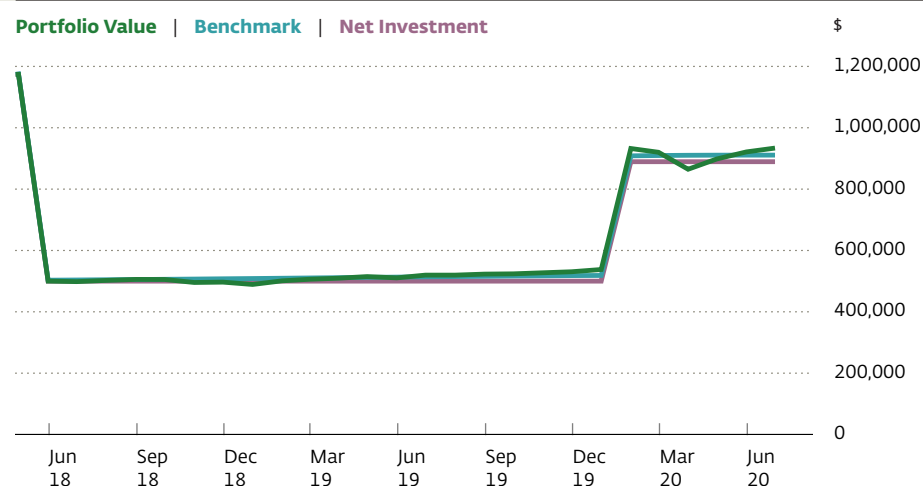
Account Overview

AIHEC OPERATING RESERVE FUND | 88115762

Performance Summary ⁵



Account Value vs. Benchmark ⁶



Quarterly Performance Statistics ⁵

| | TWRR ² | Benchmark | SP500 | Bond |
|---------|-------------------|-----------|---------|--------|
| Q2 2020 | 7.98 % | 0.07 % | 20.54 % | 2.81 % |
| Q1 2020 | -6.06 | 0.31 | -19.60 | 2.40 |
| Q4 2019 | 2.69 | 0.38 | 9.07 | 0.37 |
| Q3 2019 | 0.80 | 0.49 | 1.70 | 1.37 |

Periodic Performance Statistics ⁵

| | TWRR ^{2,7} | Benchmark | SP500 | Bond | |
|-----------------|-----------------------------|-----------|---------|--------|------|
| Year-to-Date | 1.44 % | 0.38 % | -3.08 % | 5.28 % | |
| Trailing 1 Year | Jun 30, 2019 - Jun 30, 2020 | 5.00 | 1.25 | 7.51 | 7.12 |
| Custom Period | Apr 27, 2018 - Jun 30, 2020 | 4.09 | 1.70 | 9.28 | 6.72 |

Account Overview Footnotes

¹ Net Investment is the total value of contributions and withdrawals (excluding unsupervised assets) made by the client for the period from Apr 27, 2018 to Jun 30, 2020. This includes Misc. Expenses received from the custodian.

² Time Weighted Rate of Return (TWRR) is calculated net of all fees. Time Weighted Rate of Return (TWRR) is used to compare your portfolio returns versus benchmark indices (such as S&P 500).

Account Overview

AIHEC OPERATING RESERVE FUND | 88115762

Account Overview Footnotes

³ A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Yearly performance values (e.g. Trailing 3 Years) shown are from the specified period up to Jun 30, 2020. The benchmark(s) for the account(s) 88115762 herein has been selected by your financial advisor to reflect the corresponding investment strategy of your portfolio. The intent of these selected benchmarks is to seek to provide a more accurate comparison to which returns can be evaluated effectively.

⁴ Trailing 1 Year is Jun 30, 2019 to Jun 30, 2020

⁵ These figures compare the Time Weighted Rate of Return (TWRR) of your account with a selection of benchmark indices. "Benchmark" refers to the Lipper Money Market Fund index. "SP500" refers to the S&P 500 TR index. "Bond" refers to the Bloomberg Barclays Capital Intermediate U.S. Government/Credit TR index. "Benchmark" described herein has been selected by your financial advisor to reflect the corresponding investment strategy of your portfolio. The intent of this benchmark is to seek to provide a more accurate comparison to which returns can be evaluated effectively. A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Blended benchmarks are defaulted to rebalance monthly which means that Envestnet will asset weigh the benchmark component returns on a monthly basis using the beginning of the month weights. A daily rebalance option is also offered however may not be available in all cases due to data limitations from providers.

⁶ Benchmark designates Lipper Money Market Fund. The Benchmark described herein has been selected by your financial advisor to reflect the corresponding investment strategy of your portfolio. The intent of this benchmark is to seek to provide a more accurate comparison to which returns can be evaluated effectively. A benchmark is an unmanaged index, and its performance does not include any advisory fees, transaction costs or other charges that may be incurred in connection with your investments and/or managed accounts listed. Any benchmark whose return is shown for comparison purposes may include different holdings, a different number of holdings, and a different degree of investment in individual securities, industries or economic sectors than the investments and/or investment accounts to which it is compared. Investors cannot invest directly into a benchmark or index. All portfolio returns for all periods are expressed in USD. All benchmark(s) returns reflect the same currency as the portfolio returns presented. Blended benchmarks are defaulted to rebalance monthly which means that Envestnet will asset weigh the benchmark component returns on a monthly basis using the beginning of the month weights. A daily rebalance option is also offered however may not be available in all cases due to data limitations from providers.

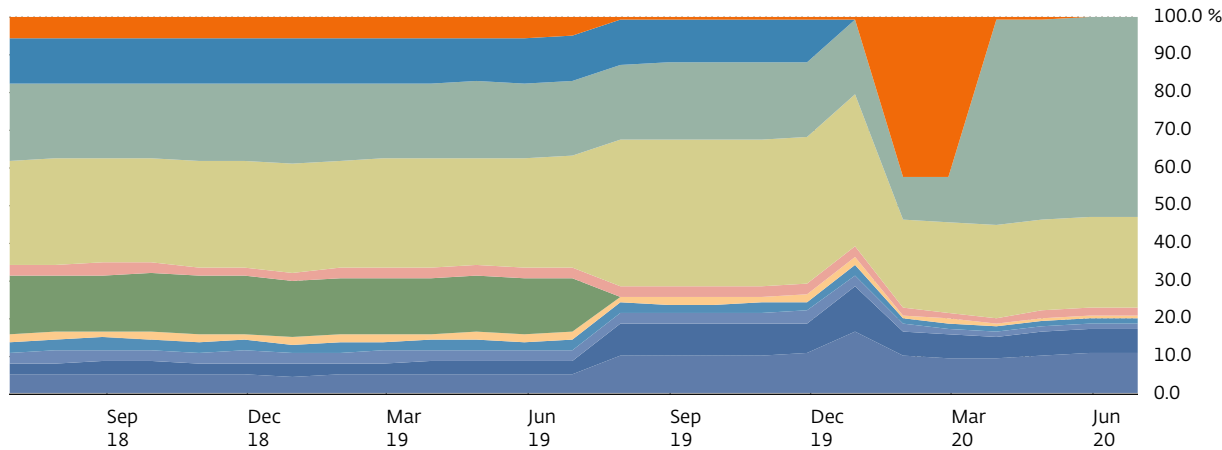
⁷ Returns for greater than one year are annualized.

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Allocation Over Time

AIHEC OPERATING RESERVE FUND | 88115762

Asset Allocation



| Asset Class | Jul 2018 | Oct 2018 | Jan 2019 | Apr 2019 | Jul 2019 | Oct 2019 | Jan 2020 | Apr 2020 | Jun 2020 |
|-----------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Lg Cap Gwth | 4.97 % | 4.77 % | 4.73 % | 5.17 % | 9.93 % | 10.03 % | 9.56 % | 9.83 % | 10.64 % |
| Lg Cap Core | 3.06 | 3.09 | 3.09 | 3.27 | 8.12 | 8.15 | 7.00 | 6.39 | 6.31 |
| Lg Cap Val | 3.07 | 2.99 | 2.93 | 3.00 | 2.99 | 2.99 | 1.72 | 1.47 | 1.47 |
| Sm Cap Core | 2.96 | 2.74 | 2.65 | 2.74 | 2.67 | 2.61 | 1.50 | 1.25 | 1.30 |
| Emerging Mkts | 2.03 | 1.89 | 2.01 | 1.98 | 1.89 | 1.88 | 1.01 | 0.96 | 0.95 |
| Bank Loan | 15.00 | 15.30 | 14.89 | 14.89 | — | — | — | — | — |
| Fgn Lg Cap Gwth | 2.97 | 2.61 | 2.67 | 2.87 | 2.77 | 2.81 | 1.71 | 1.70 | 1.95 |
| Interm. Bond | 28.02 | 28.10 | 28.76 | 28.53 | 38.79 | 39.05 | 23.64 | 24.02 | 23.86 |
| Short Bond | 19.97 | 20.36 | 20.31 | 20.01 | 20.06 | 19.93 | 11.37 | 53.70 | 52.90 |
| Alt Fxd Income | 11.97 | 12.18 | 12.06 | 11.90 | 11.87 | 11.71 | — | — | — |
| Cash | 5.99 | 5.97 | 5.88 | 5.63 | 0.93 | 0.84 | 42.49 | 0.68 | 0.62 |

Security Performance

AIHEC OPERATING RESERVE FUND | 88115762

| Fund Holdings | Custom Start Date | Market ¹ Value | % of Total | Income ² Earned | QTD Perf. | YTD Perf. | Trailing ³ 1 Yr | Trailing 3 Yrs | From Cust ⁴ Start Date |
|---|-------------------|---------------------------|------------|----------------------------|-----------|-----------|----------------------------|----------------|-----------------------------------|
| BBH Limited Duration I BBBIX | Mar 4, 2020 | \$ 387,932 | 41.54 % | \$ 3,107 | 4.00 % | — | — | — | -0.35 % |
| BBH Limited Duration N BBBMX | Jun 19, 2018 | 106,038 | 11.36 | 5,939 | 3.98 | 0.56 % | 2.00 % | — | 2.93 |
| Brown Advisory Growth Equity Inv BIAGX | Dec 2, 2019 | 34,305 | 3.67 | 1,453 | 26.56 | 10.37 | — | — | 14.35 |
| DFA US Small Cap I DFSTX | Jun 19, 2018 | 12,161 | 1.30 | 1,109 | 23.54 | -16.89 | -11.71 | — | -9.74 |
| DoubleLine Core Fixed Income I DBLFX | Jun 19, 2018 | 125,974 | 13.49 | 7,517 | 5.41 | 1.94 | 3.74 | — | 5.36 |
| Edgewood Growth Instl EGFIX | Jun 19, 2018 | 65,005 | 6.96 | 1,197 | 29.80 | 14.88 | 26.04 | — | 16.32 |
| iShares Edge MSCI Min Vol Emerg Mkts ETF EEMV | Jun 19, 2018 | 8,840 | 0.95 | 502 | 12.00 | -10.42 | -9.32 | — | -3.34 |
| iShares Edge MSCI Min Vol USA USMV | Jun 19, 2018 | 58,932 | 6.31 | 1,566 | 12.81 | -6.58 | 0.24 | — | 8.68 |
| JHancock Disciplined Value I JVLIX | Jun 19, 2018 | 13,754 | 1.47 | 2,231 | 16.74 | -17.60 | -10.12 | — | -4.10 |
| Vanguard International Growth Adm VWILX | Jun 19, 2018 | 18,213 | 1.95 | 853 | 33.01 | 12.37 | 24.55 | — | 10.11 |
| Western Asset Core Plus Bond I WACPX | Jun 19, 2018 | 96,843 | 10.37 | 6,034 | 6.58 | 4.19 | 7.97 | — | 8.77 |

Security Performance Footnotes

¹ Based on market-close prices at Jun 30, 2020. Where Mutual Fund holdings are listed, the Net Asset Value (NAV) is used as the market price.

² Income Earned includes interest, dividends, foreign tax paid on dividends, and gain distributions from the start date.

³ Trailing 1 Year is Jun 30, 2019 to Jun 30, 2020

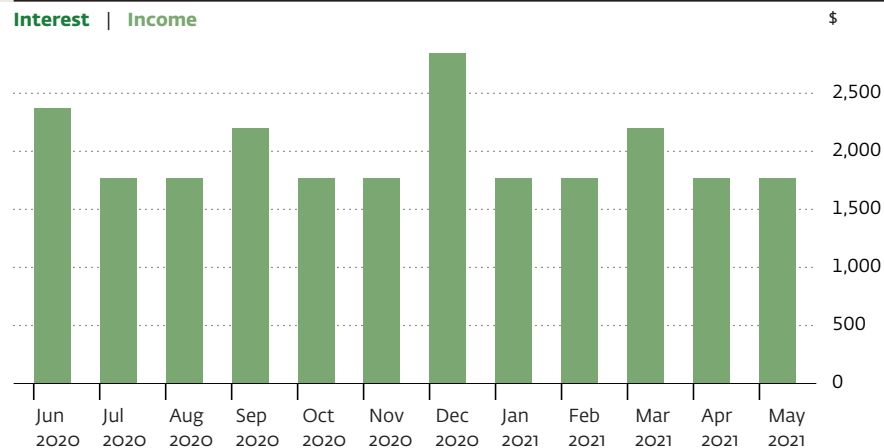
⁴ The custom start date for each holding is the date of the first buy or the transfer date (for holdings transferred into the account)

Income Schedule Summary

AIHEC OPERATING RESERVE FUND | 88115762

| Summary | Interest | Income | Total |
|-----------------|-------------|------------------|------------------|
| June, 2020 | \$ 0 | \$ 2,375 | \$ 2,375 |
| July, 2020 | 0 | 1,769 | 1,769 |
| August, 2020 | 0 | 1,769 | 1,769 |
| September, 2020 | 0 | 2,197 | 2,197 |
| October, 2020 | 0 | 1,769 | 1,769 |
| November, 2020 | 0 | 1,769 | 1,769 |
| December, 2020 | 0 | 2,848 | 2,848 |
| January, 2021 | 0 | 1,769 | 1,769 |
| February, 2021 | 0 | 1,769 | 1,769 |
| March, 2021 | 0 | 2,197 | 2,197 |
| April, 2021 | 0 | 1,769 | 1,769 |
| May, 2021 | 0 | 1,769 | 1,769 |
| Total | \$ 0 | \$ 23,769 | \$ 23,769 |

Monthly Income ¹



Income Schedule Summary Footnotes

¹ Projected equity dividends in the Income Schedule are provided for informational purposes only. Data is generated from the most recent equity dividend payment for the given equity security, and replicated using the current quantity and next expected dividend payment date. There is no assurance that projected equity dividends will actually pay the projected amount on the projected date. The estimates generated by this tool regarding the likelihood of various cash payments are hypothetical in nature, do not reflect the actual payments and are not guarantees of future payments. When available, the coupon rate of some fixed income and/or the current interest rate or most recently declared dividends for certain securities are annualized to create the Estimated Annual Income ("EAI") figure. EAI is an estimate, and your actual income may be lower or higher. Additionally, estimates may include return of principal or capital gains which would render them overstated. EAI is based on mathematical calculations of available data, and have been obtained from information providers believed to be reliable, but no assurance can be made as to accuracy. Since the interest and dividend rates are subject to change at any time, and may be affected by current and future economic, political and business conditions, they should not be relied on for making investment, trading or tax decisions.

Disclosures

Important Disclosure Information

Past performance may not be indicative of future results. Different types of investments involve varying degrees of risk. Therefore, it should not be assumed that future performance of any specific investment, investment strategy (including the investments and/or investment strategies recommended by Sovereign Investment Advisors) or product will be profitable or equal the corresponding indicated performance level(s). Please remember to contact Sovereign Investment Advisors if there are any changes in your personal/financial situation or investment objectives for the purpose of reviewing/evaluating/revising our previous recommendations and/or services. Please also advise us if you would like to impose, add, or to modify any reasonable restrictions to our investment advisory services. A copy of our current written disclosure statement discussing our advisory services and fees continues to remain available for your review upon request.

Historical performance results for investment indices and/or categories have been provided for general comparison purposes only, and generally do not reflect the deduction of transaction and/or custodial charges, the deduction of an investment management fee, nor the impact of taxes, the incurrence of which would have the effect of decreasing historical performance results. It should not be assumed that your account holdings do or will correspond directly to any comparative indices.

We ask you to inform us immediately if you did not receive your monthly or quarterly statement directly from your custodian so that we may take steps to address this issue. You should compare the account information on this statement to the statement you receive directly from your custodian. Minor variances between the values on this statement and your custodial statement may exist, because of differences in the trade date/settlement date pricing methodologies used to value the holdings.

2020 Summer BoD Meeting

AFFILIATE REPORTS:

AICF

FALCON

TCU Librarians



College Fund Report to AIHEC Summer 2020

Student Success Services

FINANCIAL SUPPORT

Spring TCU Scholarship Program funds totaling \$2,152,500 were disbursed to the 35 eligible tribal colleges late January. Each TCU started submitting recipient reports March 1. TCU Scholarship Program funds total \$4,305,000 for the 2019-2020 academic year.

Full Circle scholarship funds totaling \$4,961,932 have been distributed to students at tribal and mainstream colleges and universities through April 30th. Additional disbursements are in progress.

DISTRIBUTION OF SCHOLARSHIP AND SUPPORT FUNDS - THROUGH MAY 30

Tribal Colleges and Universities

| | | |
|---|-------------|--------------------|
| TCU Scholarships to tribal college students | \$4,305,000 | |
| Full Circle Scholarships to tribal college students | \$2,756,938 | |
| Total to tribal college students | | \$7,061,938 |

Mainstream Colleges and Universities

| | | |
|-------------------------------|--------------------|-------------|
| Total to Mainstream Students | | \$2,204,994 |
| TOTAL ALL SCHOLARSHIPS | \$9,266,932 | |

NEW YEAR-ROUND SCHOLARSHIP APPLICATION

- Reduced barrier for students
 - TCU students would need to fill out three applications (FC, fall TCU, spring TCU) per year in the past. Now they will only need to complete one application per year.
 - Having the application open year-round provides more opportunity for students that enroll at the last minute.
- February 1st transition date each year.
 - Allows students that start in the spring semester to still apply.
- Priority deadline allows students to apply after May 31st. In some cases, they can still be considered for replacement scholarships. This is a benefit for students that decide to go to college at the last minute.
- Communications and awareness of this change is being developed and marketed to students and TCU staff.

NATIVE PATHWAYS

- The Native Pathways interim report was submitted to the Mellon Foundation. Data highlights:
 - 51% (132 of the 257) high school seniors expected to graduate in spring 2019, enrolled in an institution that reports to the National Student Clearinghouse in the fall. 71 of the 132 enrolled in fall also enrolled in spring, for a 54% retention rate. Additionally, 16 of the 132 students enrolled in college received a College Fund scholarship (goal for 20-21: to increase this #)
 - 65 high schools: 48 \$2500 Higher Pathways grants and 17 \$1000 emergency funds grants.

- Native Pathways coaches visited 25 individual high schools, 3 tribal departments and 15 TCUs during the 2019-2020 academic year prior to COVID-19.
- 247 of 359 participants enrolled in college for Fall 2019, a 69% retention rate. In spring 2020, 163, or 65%, students were still enrolled.
- 68 Associate degrees were earned by Tribal College Transfer participants in 2019 (spring, summer and fall), with some students graduating with more than one degree. 27 graduates, or 40%, enrolled in another institution seeking an additional credential, with 19, or 30% of these students enrolled at a four-year institution/mainstream college in Fall 2019 to pursue a bachelor's degree.
- College Fund scholarships were awarded to 113 of the 163 Tribal College Transfer participants.
- New College Readiness Coach (High School coach) was hired and started June 2nd.
- Summer camp for both Tribal College Transfer and High School College Choice participants will take place virtually in July.
- Tribal College Transfer coach conducted a focus group with participants to receive feedback and improve programming for 20-21.
- The current database used for Native Pathways will be imported into the larger Civicore. This is currently in process.

MACP GRANT- CULTIVATING NATIVE STUDENT SUCCESS: STRATEGIC ENROLLMENT MANAGEMENT

- The first virtual convening with the 5 awardee project teams was held on May 26, 27 and 28 as two- hour sessions on each of these three days. Highlights:
 - Deborah His Horse is Thunder participated in the convening as a consultant, providing feedback to each of the project teams on their project plans.
 - National Student Clearinghouse representative Michelle Blackwell joined for a conversation and presentation on Post-Secondary Partnership data dashboard and tool.

STUDENT SUCCESS COACHING/SCHOLARSHIPS

- Coaches are providing virtual and text messaging “hotline hours” for students to connect about online coursework and other needs that they have questions about throughout the summer.
- Post surveys and focus groups were conducted in May. We will have these results to share in July.

INTERNSHIPS AND CAREER READINESS

- Virtual internships are being developed and piloted this summer! 1 student has started their project and we are working with 14 other applicants to determine their next steps.
- Work continues in our AT&T Braiding Success Grant that weaves high school completion, college success, and career programming in partnership with TCUs. A 3yr outcomes report will be available in a few weeks and we are seeking renewal for 20-21.
- We are developing online career readiness curriculum to be shared with students, colleges, and other stakeholders. This will be in our online mentor platform, CONNECT, and will be in the style of learning modules.

Programs

The College Fund's Programs department administers TCU-based programming in the areas of Native arts and culture, environmental sustainability, early childhood education, institutional infrastructure and planning, workforce development, and broader student and institutional success programming. This team co-creates with TCUs community-based or place-based projects that prioritize building capacity at TCUs, offering increased opportunities to enhance or develop new degree and certificate programs that support direct and indirect student success outcomes. This report provides an overview of accomplishments between July 1, 2019 to Present. The department is also engaged in grant and program design activities in tribal financial management and decision making and financial literacy ambassadors and veterans research.

AMERICAN INDIAN COLLEGE FUND STRENGTHENING WORKFORCE OPPORTUNITIES AND FIRST-GENERATION WORKERS ACROSS INDIAN COUNTRY – Northwest Area Foundation

The *Strengthening Workforce Opportunities and First-Generation Workers Across Indian Country* program is a two-year grant awarded to the College Fund in July 2019. The program will work directly with six TCUs to address three focus areas: 1) career coaching/advising and employer outreach; 2) workforce program enrollment support and development; and 3) develop an employer council. The College Fund will work with a consultant to develop the curriculum. Five TCUs joined a call with the College Fund in June 2020 to share current work in the areas identified. The themes from this call will help finalize the program design for grant awards in August 2020.

CULTURAL PRESERVATION & REVITALIZATION – National Endowment for the Humanities

The *NEH Cultural Preservation Endowment* supports cultural preservation and revitalization efforts at 24 TCUs. The endowment provides an annual grant of equal amounts to institutions. Program support targets cultural preservation, perpetuation and revitalization efforts defined by TCU grantees. The 2020 awards were disbursed in February and TCUs are six months into their grant year.

DOLLAR GENERAL LITERACY FOUNDATION GED/HSE PROGRAM – Dollar General

The *Dollar General American Indian and Alaska Native Literacy and Adult Education Program* (current grant term of July 1, 2019 - June 30, 2020) supports program expansion and improvement that contribute to strong student success outcomes. Across participating TCUs, this program supports students ranging from 18-60 years old. Upon completion of General Education Diploma (GED) or High School Equivalency (HSE) certification, some students enter the workforce, while others enroll in college courses at TCUs to take the next step in their education, leading to the eventual achievement of the overarching mission of the College Fund - to increase the number of American Indians holding college degrees. This term, the TCU-implemented programming met the goal of providing direct support to nearly 700 American Indian/Alaska Natives (AIAN) pursuing their GED/HSE by end of grant term. 56 AIANs obtained their certification prior to testing halting in mid-March 2020 due to the COVID-19 pandemic. Regranting of this program has been funded by the Dollar General Literacy Foundation for a 2020-2021 term, which includes an increase in funding that will be utilized to move beyond meeting emergent programming needs to also begin addressing systemic program challenges.

INDIGENOUS VISIONARIES – Early Childhood Education, SEEDS, Native Arts and Culture

The Indigenous Visionaries fellowship program focuses on the development of the next generation of Native women leaders in the fields of early childhood education, Native arts and

culture, and environmental sciences and/or related natural science fields. The Indigenous Visionaries current grant period ends June 30, 2020 and our partnering institutions are Sisseton Wahpeton College (Sisseton, SD) - Native Arts and Culture program, Fond du Lac Tribal and Community College (Cloquet, MN) - Environmental Sustainability program and Salish Kootenai College (Pablo, MT) - Early Childhood Education program.

The College Fund hosted a three-part webinar series over the course of two months for Indigenous Visionaries fellows, mentors and invited guests. The webinars ranged in topics and included the following:

- “Dare to Lead” book discussion was led by Lisa Smith, the College Fund’s Senior Director of Administrative Services, and she led discussions centered around leadership values such as vulnerability will help them as they become Native female leaders in their community.
- ‘Scholarly Connections’ webinar was panel discussion with three Native female leaders; Linda Black Elk, Amber Buckanaga and Tarajeon Yazzie-Mintz. Each panelist talked about their educational and career path. In addition, they provided information on who they identified as their Native female mentor.
- ‘Technical Support’ webinar was led by Tiffany Gusbeth, the College Fund’s Director of Student Success and Jasmine Neosh, a student at the College of Menominee Nation and avid blog writer. Both presenters provided information and advice on writing, presentations and finding your voice, and telling your story.

RESTORATION AND PRESERVATION OF TRADITIONAL NATIVE ART FORMS AND KNOWLEDGE – Margaret A. Cargill Philanthropies

The Restoration and Preservation of Traditional Native Art Forms and Knowledge program expands knowledge and skills in the endangered art forms at TCUs by providing resources for TCUs to develop and implement more formalized traditional Native arts academic and community outreach programming. As a result, cultural knowledge and skills of traditional Native art forms indigenous to the tribe or tribal region are shared with students and tribal communities. TCUs also increase the direct support of culture bearers and established artists who are knowledgeable and skilled in traditional Native arts forms. The *Restoration and Preservation of Traditional Native Arts and Knowledge* Grant concluded a three-year grant period on March 31, 2020. In the final year of the grant (year three) twelve (12) TCUs were awarded grants that supported the development and implementation of traditional Native arts academic courses and community extension workshops. Forty-three (43) workshops were hosted, and they included traditional Native art forms such as ledger art, pucker toed moccasins, and quillwork. In addition, TCUs worked with forty-two (42) master artists and thirty-seven (37) student and community apprentices to help teach and share their knowledge on traditional Native arts. Lastly, the academic courses and community extension workshops hosted over 410 students and 812 participants.

NATIVE ARTS ENRICHMENT AND EXPANSION GRANT – Margaret A. Cargill Philanthropies

The College Fund received an award from the Margaret A. Cargill Philanthropies for *Native Arts Enrichment and Expansion*. The grant term will be April 1, 2020 to March 30, 2023. The program will enrich, enhance, and expand traditional and contemporary Native arts knowledge and skills at tribal colleges and universities (TCUs) and the communities that they serve. TCUs located in Arizona, New Mexico, Washington, Montana, Alaska, Minnesota, North Dakota, South Dakota, Wisconsin, and Southern California are eligible for Native Arts enrichment and expansion grant opportunities.

**SCHOLARLY EMERGENCE FOR ENVIRONMENTAL DESIGN AND STEWARDSHIP – Margaret A. Cargill
Philanthropies**

The Scholarly Emergence for Environmental Design and Stewardship (SEEDS) program builds program, faculty, and institutional capacity at tribal colleges and universities to strengthen and expand curriculum, faculty development, degree programs, and student success in the field of environmental sciences and related fields. Additionally, this program focuses on the integration of place-based and inter-generational knowledge exchange. The SEEDS grant supports capacity building of environmental and sustainability programs at nine TCUs: Aaniiih Nakoda College, Little Big Horn College, Sisseton Wahpeton College, Fond du Lac Tribal and Community College, Leech Lake Tribal College, Red Lake Nation College, College of Menominee Nation, Lac Courte Oreilles Ojibwa Community College, and United Tribes Technical College.

The SEEDS project is in year three (ending June 30, 2020). In the final year of the grant (year three) nine (9) TCUs were awarded grants that supported the development of two (2) baccalaureate degrees, one (1) certificate program and strengthened nine (9) environmental science programs, building foundational work for one (1) TCU to develop their first environmental science baccalaureate degree. Additionally, TCU grantees created 56 courses and strengthened 34 courses, 69 local, regional and national partners were engaged, 83 TCU faculty, staff and leadership members participated in professional development opportunities and five (5) faculty members were supported to obtain either a masters or doctorate degree, and 178 students were supported through internships, fellowships, and professional development opportunities.

**OBDAYA OPTA TATE KIN KAH'BOKE (WINDS BLOWING ACROSS THE PRAIRIE) – Margaret A. Cargill
Philanthropies**

The College Fund received the Obdaya Opta Tate Kin Kah'Boke grant from the Margaret A. Cargill Philanthropies to continue supporting environmental stewardship programming. The grant term is July 01, 2020 through June 30, 2023. This project will support 5 to 10 TCUs located in the Northern Great Plains to develop indigenous environmental and natural science focused academic programming, faculty development and student opportunities, place-based research, strategic partnership building and participation in the development of a community of practice aimed at developing stewardship practices considerate of seven-generation planning to impact the Northern Great Plains.

**TCU ARTS AND ENVIRONMENT INFRASTRUCTURE PLANNING PROJECT – Margaret A. Cargill
Philanthropies**

On December 1, 2018, the College Fund started a two-year project funded from a grant from the Margaret A. Cargill Philanthropies to provide strategic long-range planning for traditional Native arts and culture and environmental infrastructure improvements to Tribal Colleges and Universities (TCUs) in the upper Midwest (MN, ND, SD, WI). Through collaboration with TCUs and consultants, one or two TCUs will participate in campus-wide plans to reduce their environmental footprint and three to five TCUs will participate in either Native arts and culture or environmental infrastructure planning. This project will not include plan implementation or construction. The College Fund is working with Oglala Lakota College, United Tribes Technical College, and Sisseton Wahpeton College and consultant Sam Olbekson, Full Circle Planning, LLC to develop the scope of work for their projects focusing on strategic-long range planning of the traditional native arts and archival space that was renovated in the previous infrastructure grant.

TCU CAPITAL INFRASTRUCTURE PROJECT – Jeff and Liesl Wilke

The College Fund received a gift for capital infrastructure projects from Jeff and Liesl Wilke. Nine projects were awarded with eight completed to date. Expected completion of the final project is June 30, 2020.

FOR THE WISDOM OF THE CHILDREN: STRENGTHENING THE TEACHER OF COLOR PIPELINE – W.K. Kellogg Foundation

For the Wisdom of the Children: Strengthening the Teacher of Color Pipeline initiative focused on STEM (Science, Technology, Engineering, and Math) early childhood education (ECE) by partnering with TCUs to increase the number of teachers of color, particularly Native teachers. The initiative provided targeted STEM ECE training and education for teachers, support for Indigenized STEM ECE curriculum, and increased STEM opportunities for young Native children. The *For the Wisdom of the Children* initiative supported eight TCUs: Fond Du Lac Tribal Community College; Iłisaǵvik College; Keweenaw Bay Ojibwa Community College; Little Big Horn College; Navajo Technical University; Northwest Indian College; Salish Kootenai College; and Southwestern Indian Polytechnic Institute.

The program was set to end on March 31, 2020, however, due to programming limitations brought on by the COVID-19 pandemic, the program was granted a 90-day extension, bringing the program to close on June 30, 2020. TCU grantees have continued programming via distance learning, including online classes and events, sending or arranging pickup of learning packets for children and families, and continued engagement via platforms like Facebook video or Zoom for children's Native language lessons and story time with elders.

TOYOTA ECE STEM INITIATIVE – Toyota Motor Company

Match-funding received by the College Fund from the Toyota Motor Company supported community-based programming in the areas of early childhood education and integration of STEM programming with children and families. The Toyota ECE STEM awards were one-year grants awarded to eligible TCUs. Little Big Horn College and Iłisaǵvik College completed their projects in December 2019 and January 2020, respectively. LBHC's project consisted of family based ECE STEM learning in the Crow language, designed for language immersion classrooms. Iłisaǵvik's project sought to meet the developmental needs of the community's children through implementation of parent workshops and a 3-credit ECE STEM course to strengthen teacher quality and instruction.

STRATEGIC PLANNING AND BUILDING TCU ECE FAMILY ENGAGEMENT - Bezos Family Foundation

The American Indian College Fund (College Fund) received a six-month grant from the Bezos Family Foundation to support engagement and strategic planning with Tribal College and University (TCU) partners. Engagement with existing TCU partners will be twofold, to support children and family engagement through the COVID-19 pandemic and for engagement in the strategic planning of our next phase of early childhood education programming. Strategic planning will also include other TCUs, Early Childhood Education (ECE) funders, and industry experts. The College Fund recognizes the changing social and economic landscape in our place-based institutions and the value of continued support of lifelong, intergenerational learning in tribal communities.

REENTRY TO EDUCATION FOR NATIVE YOUNG ADULTS – Aria Foundation

The Reentry to Education for Native Young Adults program seeks to understand the challenges and barriers that Native young adults who have been previously incarcerated face when they

pursue a GED/high school equivalency degree or college. Over the last two years, the College Fund conducted an inquiry through outreach and listening sessions to inform a pilot program. The program will incorporate components of mentorship, student support, and a community-based project from the Indigenous Visionaries program. A literature review is being conducted to identify best practices to inform the work.

TRIBAL COLLEGE & UNIVERSITY COMPUTER SCIENCE INITIATIVE – *Jeff and Liesl Wilke*

The goal of this initiative is to develop computer science programs and foster integration of computer science coursework at selected Tribal Colleges and Universities (TCUs) through a grant to support faculty hiring and program development. Best practices and learnings from the initial group of TCU participants will inform the development of effective computer science capacity across the TCU system. Additionally, we see the Covid-19 crisis as creating a complementary drive for technology infrastructure and support for emergent TCU capacity.

Research and Faculty Development Programs

Research and Faculty Development Programs is responsible for conducting internal and external research initiatives across TCUs and within the College Fund. This report provides an overview of accomplishments between July 1, 2019 to Present.

INQUIRY AND INSTITUTIONALIZATION OF STUDENT SUCCESS EFFORTS AT TCUs – *Kresge Foundation*

The College Fund was awarded a three-year grant beginning August 2017 and ending July 2020. Due to pandemic, the project will now end December 2020 as part of a no-cost extension from the Kresge Foundation. The project will continue its efforts in developing an internship program model and to build a case for support for emergency aid and internship opportunities by examining the structure, context, and needs of TCUs participating in Project Success. The three institutions are 1) Diné College; 2) Stone Child College; and 3) Red Lake Nation College.

Data collection for both the qualitative and quantitative analyses are complete. The Inquiry Project is now in its final stages of research with coding & data interpretation. A professional development training was hosted in January 2020 to kick off the coding and interpretation of the interview and focus group with expectations and timelines for completion. All partnering TCUs collected necessary data and are in the final phase of the work. To assist TCU with coding and data interpretation, several webinars took place between February-June 2020 and will continue to August 2020. The project is led by Crystal LoudHawk-Hedgepeth and consultant Julie Lucero. The grant is scheduled for completion at the end of 2020 with completed reports due by then as well.

MELLON MASTERS FELLOWS – *Andrew W. Mellon Foundation*

The Mellon Master's Fellowship was initially a five-year grant funded in 2013 and is now part of the three-year (2018-2021) Mellon Growing Their Own Fellowship grant currently funded through the Andrew W. Mellon Foundation to provide fifty fellowships to tribal college faculty or staff to earn a master's degree while continuing to work at their TCUs.

In total, 40 fellowships were awarded from a diverse and competitive pool of applicants. To date, 24 fellows completed their degrees. Fellows represent 21 TCUs. Fellowships were awarded in the following cohorts:

- The first cohort of nine fellows was funded from Fall 2014 to Spring 2016.
 - Eight fellows received their degrees.

- One fellow continues to work on finishing her degree.
- The second cohort of three fellows was funded from Fall 2015 to Spring 2017.
 - All three fellows received their degrees.
- The third cohort of eight fellows was funded from Fall 2016 to Spring 2018.
 - Six fellows received their degrees.
 - Two fellows had to take a leave from their programs due to family obligations and plan to return at a later date.
- The current fourth cohort of twelve fellows is funded from Fall 2018 to Spring 2020.
 - Two fellows graduated in December 2019.
 - Four fellows graduated in May 2020.
 - Three fellows will graduate in December 2020.
 - One fellow will graduate in May 2021.
 - One fellow had to take a leave from their program due to family obligations and plans to return at a later date.
 - One fellow left their position at their TCU.
- The fifth cohort of eight fellows is currently funded from Fall 2019 to Spring 2021.
 - One fellow graduated in May 2020.
 - One fellow will graduate in December 2020.
 - Five fellows will graduate in May 2021.
 - One fellow will graduate in December 2021.

The College Fund is actively recruiting applicants for 2020-2021 academic year and accepting applications on a rolling basis. More information can be found on the College Fund's website, and applications can be submitted through this link:

<https://aicf.advancingcommunities.us/masters-fellowships-for-tcu-faculty-and-staff-members/>.

MELLON GRADUATE HOURS PROGRAM – Andrew W. Mellon Foundation

Beginning July 2018, the Mellon Graduate Hours Program was funded through the Andrew W. Mellon Foundation to assist faculty members (full-time and adjunct) at TCUs seeking to complete up to 18 graduate credit hours in the fields they teach or will be teaching to meet new accreditation requirements for highly qualified faculty. Priority is given to faculty at TCUs accredited by the Higher Learning Commission, and fellowships are awarded for a period of up to three consecutive semesters for each candidate; the amounts received will be based on candidate's application. As of June 2020, 23 fellows received funding from this program, of those:

- Eighteen have completed the program.
- Two (current fellows) are scheduled to complete the program in Summer 2020, and both are on track with course completion.
- Three new fellows were awarded funding and started Summer 2020.

The College Fund is recruiting TCU faculty for the 2020-2021 academic year and is accepting applications on a rolling basis. We are now seeking applications for a Fall 2020 start date.

More information can be found on the College Fund's website, and applications can be submitted through this link <https://advancingcommunities.us/aicf/graduate-hours-program-for-tcu-faculty-members/> and reference Letters should be uploaded here:

<https://aicf.advancingcommunities.us/letter-of-reference-graduate-hours-fellowship-program/>

MELLON CAREER ENHANCEMENT FELLOWS – Andrew W. Mellon Foundation

The Mellon Career Enhancement Fellowship program was funded through the Andrew W. Mellon Foundation since 2004 to TCU faculty to complete terminal degrees. The fellowships are awarded to TCU faculty who completed all required coursework and comprehensive exams, the funding and mentoring support the fellows through the writing stage of their dissertations. The grant was renewed in 2018 and will fund eight TCU faculty members with one-year fellowships to complete their dissertations over the three-year grant cycle.

In total, 41 of the 44 Mellon fellows completed their terminal degrees. Mellon Career Enhancement Fellows represent 21 TCUs (BMCC, CCCC, CMN-Menominee, CMN-Muscogee, DC, FPCC, HINU, IAIA, KBOCC, LPTC, NHSC, NWIC, OLC, SBC, SGU, SIPI, SKC, SWC, TMCC, TOCC, and UTTC).

Currently, we support the 15th and 16th cohort of fellows:

- The 15th cohort, consisting of three fellows, was funded from Fall 2018 to Spring 2019.
 - Two fellows completed their terminal degrees
 - One fellow left employment at their TCU.
- The 16th cohort, consisting of five fellows, is funded from Fall 2019 to Spring 2020.
 - Three fellows completed their degrees May 2020
 - One fellow will complete their degree May 2021
 - One fellow left employment at their TCU.

The College Fund is actively recruiting applicants for 2020-2021 academic year and accepting applications through May 1, 2020. Two more awards will be funded in the 17th cohort from Fall 2020 to Spring 2021. More information can be found on the College Fund's website, and applications can be submitted through this link:

<https://aicf.advancingcommunities.us/mellon-faculty-career-enhancement-fellowship/>

NYSWANDER-MANSON AND BLANCHARD FACULTY FELLOWSHIP

The Nyswander-Manson and Blanchard Pre-Dissertation Faculty Fellowships are one-time grants awarded to TCU faculty members working on their doctorate degrees or terminal master's Degrees. The Nyswander-Manson Fellowship is offered to faculty members working at TCUs with four-year degree programs. The Blanchard Fellowship is available to TCU faculty members from both two- and four-year TCUs. The fellowships are designed to assist with tuition, travel expenses, and research prior to the dissertation stage. In addition, the Nyswander-Manson Fellowship is designed as a pipeline for the Mellon Career Enhancement Fellowship program. Since 2005, 41 pre-dissertation fellowships were awarded to faculty from 14 TCUs.

The College Fund is reviewing applications for the 2020-2021 Academic Year.

TCU FACULTY RESEARCH INITIATIVES – Henry Luce Foundation

The 2020-2021 TCU Faculty Research Initiatives grant focuses on cultivating Native intellectual leadership and capacity at TCUs through activities designed to support TCU faculty. The grant fosters the intellectual leadership within TCUs by supporting faculty through the following activities: 1) hosting the annual TCU Faculty Research Convening; 2) publishing the annual TCU Research Journal (TCURJ); 3) hosting an annual Writing Retreat for manuscript development; 4) offering Professional Development stipends for conference attendance; and 5) cultivating mentoring opportunities with senior Native faculty. The main purpose of this project is to

expand research opportunities for TCU faculty in pursuit of establishing a culture of research across the TCU system of postsecondary institutions.

Since April 2020, the following was achieved through the grant initiative -

- Reallocated Funds from the 2020 TCU Faculty Research Convening into TCU Faculty Emergency Aid Grants.

In April 2020, the American Indian College Fund also secured a grant for TCU Faculty Emergency Aid. These awards are designed to support TCU faculty impacted by the COVID-19 pandemic. Of the 35 accredited TCUs who received grant awards through these funds, 30 awards have been disbursed. Five more awards will be sent out in the coming weeks.

AMERICAN INDIAN AND ALASKA NATIVE COLLEGE AFFORDABILITY AND TCU SUSTAINABILITY

The Lumina Foundation funded a 30-month, \$650,000 exploratory research project investigating four topic areas:

- *AIAN College Affordability*
- *Institutional Barriers to Student Success*
- *Post-Secondary Credentialing Process and Credential Quality Assurance*
- *TCU Sustainability*

The project began in December 2020 and will conclude in May 2022. Four literature reviews, one per topic area, were completed. A TCU sustainability and college affordability convening was held in February to launch the grant. Two AIAN College Affordability survey instruments (one for current scholarship participants, and the other for recipients who have graduated) are currently being developed. The IRB for the College Affordability portion of this grant will be submitted in July 2020. Finally, the project director is meeting directly with TCU PIs to develop research methodologies and protocols for the remaining topic areas.

Partners in the project include:

- The National Native Scholarship Providers Working Group (NNSPWG) will utilize their respective population of AIAN scholarship recipients (both former and current) to develop a sample to describe AIAN college affordability. Working group members are:
 - American Indian Science and Engineering Society (AISES)
 - American Indian Graduate Center (AIGC)
 - Indigenous Education, Incorporated. (IEI)
- Five TCUs including:
 - Diné College
 - Nueta Hidatsa Sahnish College
 - Navajo Technical University
 - United Tribes Technical College
 - Turtle Mountain Community College

Grant activities to date include:

- Completion of agreements with consultants, institutions and NNSPWG organization
- Completion of literature review for each topic areas has been completed.
- Hosting of the first AIAN College affordability and TCU sustainability convening at the College Fund office on February 28.

COLLEGE FUND CAPACITY BUILDING

The College Fund received funding for a two-year \$600,000 grant from the Margaret A. Cargile Philanthropies in August 2020 to allow the College Fund to develop and integrate two new organization wide databases. The first database conversion by the Resource Development team is completed and being used by the team. The second database is being designed to replace the CiviCore scholarship database and will serve as the hub for scholarship recipient data, financials related to scholarship funding, student level data, and programs data. The larger purpose of the College Fund Database is to eventually provide a solid platform from which the organization and staff members can demonstrate impact of our work with native students, TCUs, and the communities we serve with scholarships and programs.

The College Fund has developed an assessment report whose purpose is to inform the RFP (which is nearing completion) of the desired functionality of the database. We have identified 5 targeted vendors we are hoping will respond to the RFP. Additionally, we have developed data dictionaries across identified databases we currently extract data. Finally, we developed a position description for a database administrator and analyst who we are hoping to hire by the beginning of the FY2020-2021. We hope to have a database integrated into our system by the end of November 2020 with full operation early the following spring.

IMPACT EVALUATION

The College Fund defines impact evaluation as the process of defining clear goals and objectives for its programs, identifying key performance targets based on those goals and objectives, and then systematically collecting data to assess program progress. Specifically, evaluation documents: 1) if program activities are implemented as intended; 2) if programs are achieving their goals and objectives as intended; and 3) best practices and opportunities for improvement. Impact evaluation is also integral to measuring the positive effects of the College Fund's work as an organization on the Native communities, tribal colleges and universities, and Native scholars it serves. In summary, impact data demonstrates how positive social change is occurring through the College Fund's work. The College Fund practices culturally responsive impact evaluation, premised on respect, reciprocity, relevance, relationships, and responsibility.

Rebecca Garvoille, who leads the College Fund's impact evaluation work, is collaborating with College Fund staff, TCUs, and partners to create a more evidence-based and clearly articulated impact story about how the College Fund advances positive social change.

Public Education

Total impressions to date (including wire) for all placed media is 234,662,995.

COVID19 and other social issues are giving the College Fund an opportunity to increase visibility about our work and the work of the TCUs. Top PR this quarter:

- Mention in Teen Vogue article about organizations working to provide access to higher ed for their students
- Interview with Cheryl Crazy Bull in Teen Vogue
- The Nation interview with College Fund scholars about challenges they have encountered with remote instruction
- Chronicle of Higher Education interview with Cheryl Crazy Bull and Sandra Boham about challenges students and faculty at TCU encountered with remote instruction

- Chronicle of Higher Education Interview with Cheryl Crazy Bull about underserved students for special report coming in late summer.
- NYT interviewed Carrie Billy, Cheryl Crazy Bull, Cynthia Lindquist, and several students for a look at COVID impact in Indian Country. Story was shortened to focus on economic impact; however, great relationships were established with reporters and they are now working with us for coverage on importance of Census to higher education in Indian Country.
- Montana Public Radio interview with Sandra Boham and several Montana students, as well as SSS Director Tiffany Gusbeth, also a Montana Native and member of the Northern Cheyenne Nation.
- Hope Center Survey story, although not a headline due to timing with COVID, was an important underpinning in our messaging about the impact of COVID on our TCU students.
- College Fund partnered with ACT in a live Twitter chat in early June as well as with a guest blog written by Cheryl Crazy Bull in March.
- Interview with Dina Horwedel in *Philanthropy News Digest*
- Interview with David Sanders in *Hechinger Report*, national education publication about Gallup Report
- Cheryl Crazy Bull appeared on CBS Women's History Month PSA 3 on the national network (March 3, 17, and 23). College Fund and CBS issued joint press release about the campaign in March.
- Mellon Foundation \$4 million emergency fund gift appeared in Chronicle of Philanthropy, Philanthropy News Digest, Inside Higher Education, Diverse Issues of Higher Education
- BBB Video interview with Cheryl Crazy Bull that appears on the Wise Giving Alliance web site and their YouTube channel, which is where donors go to ascertain credibility of charities.
- In-depth feature story pitch placed in *The Chronicle of Higher Education* about the Mellon Faculty program and its role in increasing intellectual capacity of TCUs and opportunity for advancement of TCU faculty. *The Chronicle* is the nation's top-tier education publication. The article featured interviews with former program director Natalie Youngbull and several TCU faculty members/program participants. The article is behind a pay wall but you can find it here: <https://www.chronicle.com/article/To-Raise-Numbers-of/247052>
- Gallup Survey story. Pitches and top story placements with College Fund interviews were with Education Dive, Community College Daily, and Diverse Issues in Higher Education. Major news services also ran the story. The report is on the College Fund website and was also the subject of a webinar about how to leverage for publicity with TCU presidents, faculty, and staff in December.

Lessons learned: Gallup Survey, Hope Center Survey, and IHEEI Report and the statistics and findings in them, as well as our own research at the College Fund, was an important factor in getting the interest nationwide in large publications and establishing College Fund as a national expert. To keep this momentum, we will continue using data as the foundation of our stories, personified with personal stories of our students, presidents, faculty, staff, and community members. People look to data for credibility but connect to people.

TCU OUTREACH INITIATIVES

- The TCUs in the News newsletter, which includes links to stories about TCUs or Native higher education in the media, is emailed quarterly. Our next issue will go out July 1. As part of the College Fund's annual goal to provide TCU officials with the tools they need to support the promotion of their institutions; and to allow TCUs to see the conversations

about Native education in media outlets and social media and to allow them to insert themselves into the conversations, Public Education is producing e-newsletters that include articles about the tribal colleges, Native education issues, and the American Indian College Fund. The newsletter is sent directly to the in-boxes of TCU presidents. To date three newsletters have gone out (one each quarter). All TCU presidents and the board are on the mailing list. If you have not received your copy or would also like to include someone else on the list at your institution, please email: dhorwedel@collegefund.org.

- A webinar for TCUs focused on marketing institution's education offerings during COVID19 is in the works with an estimated offering time of July.
- We will roll out a Census training program for our student ambassadors and will be asking them to spearhead an advocacy program in your communities to share the importance of the Census and to get others to participate. Training will take place with our student ambassador training later this summer. We are participating in Census training to get messaging, etc.

Accountability and Transparency

CHARITY WATCHDOG RATINGS

The American Indian College Fund meets all charity watchdog standards:

- On July 1, 2018 Charity Navigator, the nation's top charity evaluation system, awarded the College Fund a three-star rating.
- In April 2020 the College Fund was reaffirmed by the Better Business Bureau's Wise Giving Alliance as meeting its 20 Standards for Charity Accountability. The College Fund is authorized to use its seal of approval for another two years.
- The College Fund earned the "Best in America Seal of Excellence" from the Independent Charities of America (also known as America's Best Charities). Of the one million charities operating in the United States, fewer than 2,000 organizations are awarded this designation.
- The College Fund received a "B+" rating from *CharityWatch* (formerly the American Institute on Philanthropy) and is one of two American Indian organizations classified under its index of top-rated charities (the other is Native American Rights Fund).

**First Americans Land Grant Consortium
(FALCON)**



REPORT TO THE AIHEC BOARD OF DIRECTORS

March 5, 2020

Background

FALCON is a nonprofit association of tribal college land-grant administrators, directors, faculty and staff. Its mission is to provide technical assistance, professional development, and networking opportunities to its members. In October 2003, FALCON was endorsed by the AIHEC Board of Directors and coordinates its activities with AIHEC, communicates regularly with AIHEC, and seeks AIHEC approval for significant initiatives.

FALCON elected a new Treasurer this past fall. The FALCON officers are: Charlene Carr (Institute of American Indian Arts), President; Amber Marlow (Lac Courte Oreilles Ojibwa College), Vice-President; Brianna Gunka (Bay Mills Community College), Treasurer; Bryan Neztosie (Diné College) Secretary; and Latonna Old Elk (Little Big Horn College) Past President. The FALCON Executive Director, John Phillips, has been supported in part through a technical assistance grant with AIHEC. All other FALCON officers and members work on a volunteer basis.

Meetings

The FALCON 2019 Conference was held on October 26-28, 2019, in Denver Colorado. Approximately 190 people attended, representing 28 of the 34 1994 land-grant institutions. There were 48 students in attendance, of which 41 requested assistance and were supported with American Indian College Fund and FALCON travel scholarships ranging in value from \$500 to \$700. A total of \$17,600 in scholarships were awarded. Each student that received support was required to deliver an oral and/or poster presentation, and complete an evaluation.

The FALCON 2020 Conference is scheduled for October 24-26, in Albuquerque, New Mexico. Registration will open in the summer.

Communications

FALCON maintains an e-mail distribution list that regularly communicates with several hundred 1994 administrators, faculty, staff, students, and partners. Information is shared on available resources, funding opportunities, student scholarships, emerging topics, special events and conferences, and more. FALCON's website is intended for the general public and interested parties, at: <https://www.falcontribalcollege.org>. FALCON also maintains a collaboration platform as part of the AIHEC SharePoint Web Portal, which contains past conference materials, training resources, policy papers, and organizational documents found at: <https://portalcentral.aihec.org/Falcon/Pages/default.aspx>.

Activities, Accomplishments and News

FALCON was involved in the following activities and accomplishments since its last report to the AIHEC Board at the 2019 Fall meeting:

- FALCON continues to work with the Western Extension Directors Association (WEDA) to develop partnerships among 1862 and 1994 land grant extension programs.
- A 1994/1862 collaboration workshop was held in conjunction with the FALCON 2019 conference, and a follow-up strategic planning session is scheduled for March 24, 2020, in Boise, Idaho. Topics of discussion include joint-programming, collaborative grants, and a joint 1994/FRTEP conference in 2021.
- FALCON is working with the University of Nevada-Reno, other 1862 land-grant institutions, and several TCUs to provide 1994 expertise on tribal water issues.

Questions may be directed to Charlene Carr, FALCON President, at ccarr@iaia.edu, or John Phillips, FALCON Executive Director, at jphillips@aihec.org, (706)310-4199.

Tribal College and University Library Association (TCULA)
Report to the AIHEC Board
Summer 2020

[Note: Please accept the Tribal College Library Report for Summer 2020. This report includes a few delinquent reports from Spring. Due to the many challenges and disruptions from COVID-19, only half of the Summer reports are included. To allow librarians to create/continue reopening plans, I am allowing our missing Summer reports to be added to the Fall. Sincerely, Aaron LaFromboise, TCULA President, Blackfeet Community College.]

MICHIGAN

Keweenaw Bay Ojibwa Community College Library L'Anse, MI

General description of KBOCC Library:

Keweenaw Bay Ojibwa Community College opened in 1975 and is fully accredited by the Higher Learning Commission and has about three dozen staff and faculty that serve a student body of around 100. The library is open 27 hours per week from the last week of August through late June. During the 2018-2019 year, there were about 1,615 visits to the library.

The library is staffed by one person who also serves as Library Director, the Career Readiness Center Coordinator, and Adjunct Instructor for College Success Seminar as well as various Criminal Justice courses. Library services in this reporting period were impacted by an unprecedented closure due to the COVID-19 pandemic. Beginning March 13, 2020, the institution was closed for at least 12 weeks.

Major college community events:

On March 12, KBOCC hosted its 3rd Annual Career Fair, partnering with Michigan Works, an agency that serves employers and job seekers in the state of Michigan. In attendance were about 40 employers and over 100 local job seekers and high school students. The library's career readiness center also had an open house that day and provided 9 jobseekers with formal practice job interviews. The Career Resources Center also provided dozens of students and community job seekers with resources and strategies for job searching.



(In the photo, a practice job interview at the 2020 Career Fair)

The library staff for this event participated in a radio interview with the Business Department Chair and Career Fair Coordinator and also a live television interview on a regional television station.

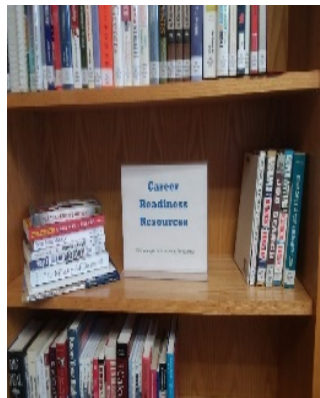
The library staff organized and lead an event called "America's First Serial Killer", which was a presentation and book signing based on an Adjunct Instructor's book about H. H. Holmes. Publicity included a local radio interview, coverage in the tribal paper, and a live interview on a regional television station. KBOCC also officiated Ojibwemowin (Ojibwa language) scrabble for students during Native American month.



(Post interview - "America's First Serial Killer")

Major acquisitions:

During the reporting year, there were approximately 98 books acquired. The school also ordered, processed, and promoted 5 books for the 2020 AIHEC Knowledge Bowl. Continuing from last year, there was a focus on the Career Readiness Center (CRC) collection. The Library acquired many new CRC books, including new job-seeking skills books for created especially for job seekers. The CRC provides students with assistance on resume and cover letter writing. The library staff conducted practice job interviews upon request.



(A photo of the Career Readiness Center)

Services to staff, instructors, and the college:

The library staff created and delivered the following training for staff:

- "Are You Stressed?" with the Anishinaabe Chair and featuring Medicine Wheel Teachings
- "Are you listening?" with the KBOCC President

- “You’re Doing it Wrong” at the Faculty pre-semester meeting
- Presentation to Faculty Council about teaching correspondence courses to incarcerated students

The library staff served on the following committees:

- Scholarship committee
- Online course committee
- Online course sub-committee which focused on creating the PowerPoint presentation for the student online class tutorial
- Grievance Committee
- Creative writing committee

The library staff also proctored tests for instructors, taught drop-in sessions and formal classes for JSTOR and research in electronic databases, conducted a resume workshop for the drop in students and LS 103 college success seminar class, and rendered basic library tours.

Services to students:

KBOCC procured League of Women Voters to present on the many voter registration options for the LS 103 College Success Seminar class in November 2019. The college celebrated Constitution Day in September 2019 with voter registration education. The college facilitated two icebreakers during student orientation in September 2019 and hosted tower building teamwork for students in LS 103 College Success Seminar.

The library served as a voting center for student government elections. The staff assisted in the 2020 AIHEC Knowledge Bowl presentation with Liberal Studies Chair. KBOCC enrolled in the “ALL In Challenge” for voter registration initiative and sponsored a voter registration table in March 2020 at the high traffic Career Fair. This was staffed by the County Clerk and the Copper Country League of Women Voters. 8% of the student population registered to vote and 12% of the student population took voter registration literature.



(A photo of the Teamwork Towers)

Services to recruitment for the college and Students of the Criminal Justice section of Liberal Studies Department:

The library staff attended college recruitment events and outlined the Michigan Department of Corrections employment opportunities. Staff also provided criminal justice course information during orientation and through the semesters. During this, the staff met with local Superintendents and High School Counselors to inform of KBOCC's Criminal Justice Program and job placement with the Michigan Department of Corrections. Along with the Admissions Officer, a KBOCC Criminal Justice Instructor, and a representative of the Michigan Department of Corrections – Recruitment Division, library staff met with students at Baraga Area Schools. In the presentation, the speaker gave information about KBOCC, the CJ program, and the Michigan Department of Corrections. Questions were answered and ample information disseminated.

The library staff also visited L'Anse High School with Admissions Officer to recruit for KBOCC as well as the Tribal Center with Admissions Officer to recruit for KBOCC. They were also interviewed on local radio about the KBOCC Criminal Justice Program. The Criminal Justice Instructor was featured prominently in the local newspaper. KBOCC has an active Criminal Justice department. In its 4 ½ years of its existence, more than 33 students have earned credits to qualify for employment. From that number, 28 KBOCC students have begun employment in corrections. That totals up to around \$1,000,000 in wages per year to the local area.

The library assisted Criminal Justice students in submitting application materials for Corrections Officers positions at the Michigan Department of Corrections and in mock job interviews. Resume curriculum was also integrated into one of the criminal justice classes with assistance from the library. Library staff created a book of corrections along with criminal justice-oriented icebreakers through The International Association of Correctional Training Personnel, titled "Icebreaker XI: Ten More and a Selected Score". This 100-page book featured 20 new classroom exercises and 10 classic exercises from the author. Library staff also wrote and published 20 corrections-oriented articles that were featured on www.corrections.com and www.correctionsone.com.

Services to Library cooperative:

Library staff created and presented the following presentations for the Upper Peninsula Regional Library Cooperative:

1. "Are You Stressed?" - in person at the Annual UPRLC meeting in September 2019.
2. "Safety in your library" - via ZOOM for UPRLC

During the initial lockdown caused by the COVID-19 pandemic, the staff also attended many UPRLC ZOOM trainings in the last two weeks of March 2020. The larger share of these involved various aspects of the circulation system.

Other services:

The library maintains the veteran's wall – photographs of tribal members in the services. Storytime - Migiziinsag (Little eagles – 13 students) came to the library for "Stellaluna" and "Pumpkin Soup".

Submitted by Joseph Bouchard, Librarian
Keweenaw Bay Ojibwa Community College

MINNESOTA

Red Lake Nation College Medweganoonind Library, Red Lake, MN

The Medweganoonind Library is currently undergoing some structural changes for future formats.

Major Community Efforts:

While precautions for COVID-19 have led to shelter in place orders, social distancing, and eventual closing, the library continues to prepare for future service with reopening plans being finalized by the end of June. Since 2020 began, the library saw the introduction of Jacob Starks, the new Director of Library Services, and some major improvements to the technology offered to patrons and students in the form of enhanced computing abilities and virtual reality headsets. The Library continues to drive the development of an NEH grant-funded podcast made possible by a new recording studio and equipment. The finished room and programs will be available to patrons and students sometime in August of 2020.

Major College Efforts and Changes:

The college transitioned to remote and distance learning once shelter-in-place advisories became effective in Minnesota. The school held a Drive-In Graduation in May with a large audience and successful digital live stream drawing over 4000 viewers. The latest college effort is focused on safe and sustainable reopening.

Major Acquisitions:

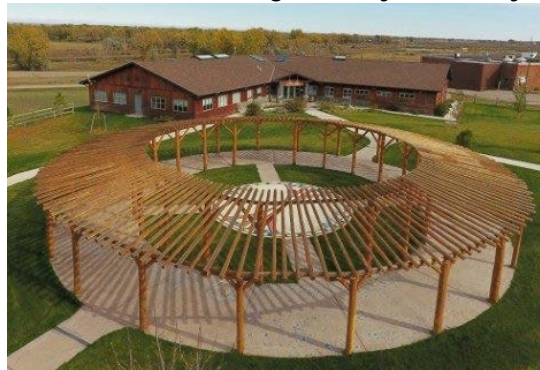
The library received a large donation of athletic and business management books shortly before The COVID-19 operations disruption.

Existing Needs:

At this time, the Medweganoonind Library realizes that the needs of the coming year are likely to become recognizable as challenges and opportunities present themselves. This period of adjusting to circumstances "on-the-fly" will be made easier through the exchange of ideas with colleague institutions.

MONTANA

Aaniiih Nakoda College Library – January 2019 through May 2020



Niyáaccóóíin?o / Yawa Tibi / Book Lodge / Aaniiih Nakoda College Library (ANCL) has had another busy, productive year. In Spring 2019, ANCL was honored to be named a Finalist for the National Medal of Museum and Library Services from the Institute of Museum and Library Services. In Fall 2019, the ANCL was awarded a two-year Institute of Museum and Library Services Enhancement grant to provide outreach services to the Fort Belknap Reservation for opioid awareness. This grant will provide outreach programming activities and speakers to the three

communities located on the Fort Belknap Reservation between January 2020 and July 2021. It also provides funding to hire a library assistant.

The ANCL was open for a total of 2,145 hours during the reporting period and had 4,315 people sign in to use the computers during this time. The Library Director provided information literacy instruction to a total of 328 students in 46 different classes over the three semesters included in this report. 840 books were checked out during the period and 470 books were added to the collection.

The library continued to provide programming, primarily at the ANC Library, which is located in Wiyukja Wicoti / $\text{?aasicc?w?onniin?w}$ / It Thinks by Itself on the Aaniiih Nakoda College campus. The library hosts annual Spring Break Activities during March each year. In 2019, the activities included making baby moccasins, quillwork, basic crochet, gardening, and brick stitch beading. Spring Break Activities for 2020 had to be postponed due to COVID-19 restrictions. In the fall during Native American Week, the library hosts Native American Craft day. Activities for 2019 included beading (various styles), quillwork, and sweetgrass braiding. Other events held during the year included making a wreath from old book pages, cement flower vases, a virtual moonshot to celebrate the 50th anniversary of the moon landing, blind date with a book, Christmas wreath and craft making, and several gardening workshops in partnership with the Montana State University - Fort Belknap Extension office. Also, through a partnership with Tribal Health, the library offered a 10-week series titled, "Way of the Circle" which provided healthy living education to approximately 30 participants throughout the series.



The ANCL continues to post on Facebook, a daily "word of the day" word in Aaniiih, Nakoda, and English. This has grown in popularity with an average of over 100 views per day. When COVID-19 restrictions were imposed, our Facebook page became our primary means of communication. ANCL staff continued to post information including links to online storytimes, mental health resources, and current COVID-19 information resources. In partnership with the ANC Financial Aid Office, the library celebrated Constitution and Citizenship day in September 2019. The ANCL always has coloring pages, dot-to-dots, and color by the number of pages available for our patrons to provide entertainment and a break from studies. We also have a community puzzle, a desktop zen garden, and a new cribbage board for the more competitive patrons. All library events are open to everyone of any age.



To further assist ANC Students, the library hosts "Get It Write" nights at least twice per semester. During these hours, ANC faculty and staff are available to give one-on-one help to students with research, speeches, final projects, whatever they might need to complete the semester.

Due to COVID-19 “stay at home” orders, the only event we were able to carry out through the IMLS Enhancement grant was hosting local entertainer and inspirational speaker, Donovan Archambault. He spoke to area school children who were attending the annual Fort Belknap Mid-Winter Fair. Over 300 children and 50 adults attended various presentations that were held throughout the day.

In February 2020, ANCL was honored to be able to present the documentary film, Broken Trust. This presentation included participation by the documentary filmmakers, present via Zoom, and representatives from local service agencies to talk with those present about the film itself and the current situation at Fort Belknap. Twelve people were in attendance.



COVID-19 has temporarily closed the library however library services have continued throughout, via email, Facebook, Facebook messenger, and phone (which has been transferred to the Library Director’s cell phone since March 16). During the shelter in place restrictions, reference services, library consultations, and information literacy has continued, using whatever method worked best for patrons, including Facebook Live and Zoom. We look forward to being able to once again open our doors and fully serve our students and community patrons.

Medicine Spring Library, Blackfeet Community College, Browning, MT

The past year has been a whirlwind of activities and changes in the library, the college, and the world. At the end of the past fiscal year, BCC published an annual report with the following statistics from July 2018 - June 2019:

| | | | |
|-----------------------|------------------------------|---------------------------|-------------------------------------|
| 26,262 people visited | 3,561 items were checked out | 1,303 library cardholders | 18,796 items in the library catalog |
|-----------------------|------------------------------|---------------------------|-------------------------------------|

Statistics for the 2019-2020 year will be available in July 2020. The library staff includes a director, two library technicians in charge of reference, library organization, and copy cataloging, a library network technician in charge of digitization projects, a work-study student, and several work waiver students. The library hosted a high school intern in the Fall Semester who learned about shelving and helped with the programs.



Programs have become an integral part of library services, both for students and the community. Statistics from the past fiscal year show that we held 74 programs total with 2,692 people participating. We held 21 youth programs, 14 college student programs, 34 community programs, and 5 elder programs. While we do not have the

current year statistics, we should have similar numbers for programs such as Splatter Painting, Card Games, Beading, Open Mic, Book Club, Movie Nights, and a youth Summer Reading Contest. After the pandemic shuttered our doors, we were still able to hold virtual events such as painting demonstrations, an online Art Show, and two online Open Mics.



The library Director, Aaron LaFromboise, has been busy with conference presentations, presenting at the American Indian Library Association's 40th Anniversary at the American Library Association annual conference, a keynote speaker for the Pacific Northwest Library Association's annual conference, at the Association of Tribal Archives, Libraries, and Museums conference, and the Institute of Library and Museum Services tribal convening. Aaron was scheduled to speak at the Tribal College Librarians Institute, the Montana Library Association conference with Library Network Technician Joseph

Rutherford, and at the American Library Association conference, all events had been canceled due to COVID-19. The library created practice space for a local LEGO First team sponsored by the Girl Scouts and coached by Aaron LaFromboise. The team of 10 girls, ages 10-15, practiced diligently for five months, completing a research project titled "Piezoelectric Energy and Recycled Plastics in Road Building". The team improved from the last competition.



Little Big Horn College, Crow Agency, Montana –

The LBHC Library and campus has been closed since late March due to the COVID-19 outbreak. Tentative plans call for the library to reopen on Monday, July 6th, but with limitations to the number of patrons at a time and appropriate distancing implemented. There will be an increasing focus on electronic, remotely accessible resources due to full and partial lockdown. Summer term occurred completely online and fall will likely be a hybrid between online and in-person instruction, with one group of students coming onto campus

on certain days of the week whilst another is in online instruction for those days, and then the groups will alternate days for each of those purposes to lessen the numbers of students on campus at any given time. In perhaps the most significant development for the Library and Archives, on June 4th, 2020, a grant award of \$100,000 was announced by the Native American/Native Hawaiian Program of the Institute of Museum and Library Services (IMLS) to fund a (strategic) planning effort for our future cultural center/museum at Little Big Horn College to be named *The Dr. Joseph Medicine Crow High Bird Center of Apsaalooke (Crow) Culture and History*. This will be in recognition of the life of Dr. Medicine Crow who passed away four years ago at the age of 102 and who was the Crow Tribal Historian and Anthropologist and a recipient of the Presidential Medal of Freedom conferred on him by President Obama in 2009 in a ceremony in the White House. Most important, Joe was one of the founding members of the Crow Central Education Commission and Little Big Horn College.

Over the early stages of the project, surveys will help guide our future consensual decision making. Along with the surveys, community meetings (either in-person or remote) in each of the Crow reservation districts will provide broader input than gathered via surveys. Beyond stakeholder input, members of the committee will visit four Native cultural centers to see first-hand how other indigenous communities have developed their institutions. Soon after the completion of the planning project, a Concept Plan will be produced, then the beginning of the design of the facility, and finally the seeking of the funding for the actual construction of the center. It will be the first museum/cultural center in Crow Country/on the reservation designed, built, operated, and curated by Crow people preserving, interpreting, and perpetuating their history and culture. It will adjoin (and probably physically join) the library and archives. The vision of the future will be one of the cultural center/museums, library and archives together constituting one vast and complete Crow cultural learning center at Little Big Horn College and for all of Crow Country and beyond.

In conjunction with this, it should be noted that the nascent cultural center/museum received its first collection last July when Richard W. Edwards, Jr. of Toledo, Ohio gifted his collection of Crow objects which consist largely of the personal possessions of the important nineteenth-century Crow spiritual leader Sees The Living Bull and included those of Chief Medicine Crow as well. A buffalo horn headdress is now held in the LBHC Archives whilst the remainder is in temporary storage at the Brinton Museum in Big Horn, Wyoming, near Sheridan. Brinton is a new, state of the art museum with all the proper physical and environmental conditions to hold the collection until LBHC's facility is complete.

The Library is seeking funding for a symposium on the film *Little Big Man*. Some funding has been informally promised and more are being sought. The year 2020 marks 50 years since the movie was released in 1970. Much of the movie was made in Montana and specifically on and nearby the Crow reservation. It had an impact both locally and nationally. It was the second highest-grossing film of 1971. Approximately 125 Crow tribal members were in the film. There are living participants who can give first-hand accounts and perspectives. It is popular and four generations of Crow still view it, vividly recall the participation of themselves or their relatives, joke, and tease at the recognition of the actors, scenes, dialogue, and talk about the many dimensions of the movie. The symposium will include presentations on both the meaning of the film and the memories of its making by Crows who were in the film and Crow and national scholars. Dustin Hoffman, who played the title role, has been asked to participate. The plans call for the inclusion of Cheyenne tribal members, including some from Chief Dull Knife College. If the COVID-19 pandemic prevents the holding of the symposium in 2020, it will be held thereafter as soon as possible.

In the LBHC Archives, progress on the digitization of the Crow cultural and historical audiovisual holdings continues. This work has been funded by both IMLS and the National Endowment of the Humanities (NEH). The audiovisual technician digitized approximately 500 video and audio recordings in the last year. In the transcription part of the project, approximately 35 stories told by old man Plainfeather and Carl Crooked Arm have been transcribed in both Crow and English. Their stories were recorded in the 1950s and 1960s when Plainfeather, who lived in the "buffalo days", was nearing 100 years old and are a rich portrait of the details of Crow life and intertribal warfare in the nineteenth century. They are told in an archaic form of the Crow language, basically the Crow language of the nineteenth century, and are being translated and transcribed by an elder who was raised with this language and who is one of the persons who have developed the modern Crow orthography including the system of the spelling of the words of the language. Few Crows today understand this archaic language so this project will be a great opportunity to reintroduce it or at least its understanding. The public schools and community role in this grant project have been delayed due to the COVID-19 pandemic. It will occur as soon as possible when things return to normal.

Finally, work has continued on another project also funded by NEH of recording oral history interviews on Crow History Post WWII and making the content accessible through classroom curriculum inclusion. Many of the elders who experienced these events are getting quite old and it was decided to interview them while they are still around to give first-person accounts of the last 65 years. Perhaps a half dozen interviews were done with more progress being limited on account of the COVID-19 pandemic.

NEW MEXICO

Institute of American Indian Arts Library & Archives, Santa Fe, NM

The college is in the process of expanding capacity for online classes and degrees. The library is strategically planning for the support of these programs. Beginning in the Fall of 2019, a new staff member joined our staff, Shoshana Vegh-Gaynor. She is our instructional librarian. She has been at IAIA since August 2019 and has a background in history, anthropology, and studio art, as well as familiarity with art history, design, and architecture. Shoshana's primary responsibility is instruction, but she assists with many other library tasks as well.

IAIA Archives is working on year two-three of the Andrew W. Mellon Grant in collaboration with the IAIA Museum to establish a new Research Center for Contemporary Native Arts. This work involves building a new IT infrastructure for all digital assets of the research center, creating and implementing a research scholar program, and other strategic planning.

IAIA Archives completed a CLIR "Recordings at Risk" project in preserving and digitizing the Suzan Harjo Collection. The library and archive staff taught classes in person in the Fall and transitioned our services online due to the COVID-19 outbreak. Teaching information literacy classes, orientations continue, in addition to other information sessions. The library instruction piloted an embedded librarian program within the Studio Arts department.

WASHINGTON

Lummi Library, Northwest Indian College, Bellingham, Washington

Lummi Nation School:

This has been a really good year for collaboration between the Lummi Library and the tribal school library. The two librarians have visited each other's libraries and established an account with the Lummi Library and have borrowed materials for teachers to use in their classrooms. The Lummi Library has also donated materials to the school library and it is expected that collaboration will continue.

Mental Health First Aid training for library staff:

In July, the Area Health Education Center for Western Washington provided a full day training attended by all library staff and others in and outside the Lummi community. Staff now feels better able to respond to people coming into the library in crises. An unexpected consequence was positive public relations for the college.

Whatcom Reads One Book Together:

Whatcom Reads is a county-wide program under the umbrella of Whatcom Libraries Collaborate, a program in which all the academic and public libraries in the county share resources. The Reads program includes all the libraries and the independent book store Village Books. The Lummi Library has participated since the beginning, and this was our twelfth program year. Our book was *To the Bright Edge of the World*, and author Eowyn Ivey came to visit just before the county closed down due to the virus.

JSTOR:

With Title III funding the library now makes available JSTOR's Essentials and Life Sciences collections.

Wisconsin

Lac Courte Oreilles Ojibwe College Community Library

July 1, 2019-June 30, 2020.

The Lac Courte Oreilles (LCO) Ojibwe College Community Library serves as both a college and a Wisconsin public library established under state statute. It is a member of the Northern Waters Library Service and participates in the Merlin Consortium, which features a shared catalog for the thirty member public libraries.


The library mission supports that of the LCO College with its emphasis on advancing the language, culture, and history of the Ojibwe. The collection includes a wide range of Native books, tapes, films, oral histories, obituary files, maps, community photographs, periodicals, microfilms, and a PastPerfect database with photographs and biographies. The library collection includes 31,000 books, 1055 audio materials, and 3000 DVDs. It also has access to 157,400 e-books and 55,000 downloadable audio materials. This past year the collection was weeded and inventoried.



Curbside Library

Lac Courte Oreilles Ojibwe College
Community Library


Tuesday & Wednesday 10:00-2:00
Friday Noon-4:00



Request materials for no-contact curbside delivery :
E-Mail library@lco.edu; **Telephone** 715-634-4790 #122 or 108;
Merlin Holds (only LCO Materials); **Mail**; or **Outside Book Return**

Please provide name, library card #, titles you would like to order and contact information (e-mail or phone). You will be notified when your order is ready.
Please use the outside book return when returning materials!

The Library staff is working hard to ensure the safety of all materials and are following CDC recommendations for sanitization and quarantine (72 hours).




You are welcome to join us for informal gatherings!

Genealogy Saturdays @ Your Library

Library Collections: Photographs, Genealogies, Maps, Obituary File, Local History Books, Oral Histories, and Newspapers.


Online databases: *PastPerfect*, *HeritageQuest*, and *Ancestry*.

Microfilm : Indian Census and Boarding School records,



We would be happy to add your photographs and family stories to the library collections!

Lac Courte Oreilles Ojibwe
College Community Library
715-634-4790 #108/122



The library has been operating with the help of two IMLS grants. The IMLS Native American Library Services Basic Grant provided funds for collection development, supplies, and stipends for two community members who helped plan and operate the annual summer library program in August of 2019. The nationally sponsored Collaborative Summer Library Program theme of “A Universe of Stories” was utilized for the LCO program. This provided an excellent opportunity to incorporate the Apollo 50th anniversary. Attendance for the five-day program was about 100. The second IMLS project, the Native American Library Services Enhancement Grant, focuses on local history. Collections have been identified, organized, and inventoried. A limited amount of materials has been digitized including VHS tapes, LPs, newspaper clippings, and photographs and the PastPerfect database has been expanded. An effort is underway to provide a timeline of college information that includes major events, membership agreements, key personnel, in-house publications, photographs, and documents. This gathering and identification of resources is the first stage of the project. The second part is the introduction and utilization of the collections through community programming.

The first event was held in conjunction with the “Native Voices: Native Peoples’ Concept of Health and Illness” exhibition. The focus on this program was Native gardening and featured Prairie Rose Seminole discussing indigenous plants and a feast with produce from the LCO farm. Several programs that included an “Activism on the Rez” series and genealogy workshops were in the planning process before COVID-19 hit. On March 16, the LCO College went remote and all schools and libraries in the state of Wisconsin were closed. LCO students were given passwords for remote access to the library databases and Proquest allowed free use of *Ancestry Library*. Contact information was available to students if they had questions or needed help.



The library staff consisting of the director, assistant, and student intern began to work at home on various projects that included:

- Scanning of documents
- Family trees and biographies
- Development of a manual that identifies Lac Courte Oreilles resources at various institutions.
- Supplement to the *Act 31 Resource* manual originally published in 2018
- Development of college archives
- Book and supply orders
- Digitization of various documents and media
- Continuing education in the form of webinars
- A remote gathering of the annual Tribal Librarians Summer Institute
- Development of plans for curbside services and gradual reopening



NATIVE VOICES
NATIVE PEOPLES' CONCEPTS OF HEALTH AND ILLNESS

Opening Ceremony
August 29, 2019
5:00-7:00
Featuring a presentation by
**Prairie Rose
Seminole**
Food Sovereignty:
Seeds at the Center of Community
Enjoy a garden feast of LCO College Farm foods!

Native Voices Traveling Exhibition
Lac Courte Oreilles Ojibwa Community College
Cultural Resource Center
August 20-September 26, 2019
Questions? Call LCO Library: 715-634-4790 #122 or e-mail: library@lco.edu

ALA American Library Association | NIH U.S. National Library of Medicine | Museum Library

At the end of April, Governor Evers allowed that libraries could begin offering curbside services. Guidelines were developed and the LCO Library began with this first step toward reopening.



2020 Summer BoD Meeting

AIHEC Report

*Summer 2020 Quarterly
Reports & Supporting
Documents*



SUSTAINING: TCU ADVANCEMENT (FUNDING)

APPROPRIATIONS

Fiscal Year (FY) 2021 Appropriations: Unlike past years, Congress is attempting to start the next appropriations cycle "on time" (although this likely will not happen). The White House released the annual "President's Budget Request" for FY 2021 on February 10, 2020, with a proposal to cut federal spending in every agency. As usual, Congress immediately rejected the proposal as "dead on arrival."

The House appropriations subcommittees quickly started the appropriations process by scheduling hearings for federal agencies leaders to defend the White House's budget request and to allow organizations and experts to testify. The House Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies held its American Indian/Alaska Native public witness hearings on February 11-12, 2020. Carrie Billy, AIHEC President & CEO, provided testimony highlighting the need for increased operational and infrastructure funding for TCUs.

Last year, Congress passed a two-year budget agreement for FY 2020 and FY 2021 that increased overall discretionary and non-discretionary spending. Congress spent most of the increased authority in FY2020; therefore, increases in discretionary spending are unlikely in FY2021. We anticipate level funding for most discretionary programs. However, this week, both the House appropriations subcommittees on Interior and Health and Human Services provided increases for the TCU and higher education programs in their jurisdiction.

AIHEC COVID -19 Pandemic Response:

As the entire country moved to quickly respond to the COVID-19 pandemic, AIHEC increased communications with TCU presidents and staff, as well as with Congress and federal agencies. AIHEC hosted a weekly webinar series entitled "AIHEC-TCU COVID-19 Check-In" to provide COVID-19 related updates and share best practices among TCUs. The weekly webinar series began on April 2, 2020, and transitioned to bi-weekly meetings in mid-June.

Additionally, AIHEC created two webpages on the AIHEC website to compile important federal announcements, higher education distance learning resources, and other emergency planning resources. The second webpage provides updates on the status of TCU operations regarding online schedules and campus access/closures.

COVID-19 and the CARES Act

In response to the COVID-19 pandemic, Congress has passed several legislative packages to provide resources to health care systems and support the economy.

Relief Package #1

The Coronavirus Preparedness and Response Supplemental Appropriations Act (H.R. 6074, PL 116-123) provided \$8.3 billion in emergency funding bill to treat and prevent the spread of COVID-19. A majority of the funding went to the Department of Health and Human Services (HHS) to develop vaccines and testing kits for local communities, to state and local health departments to be used for staffing increases and additional laboratory equipment and to the federal government to aid in the containment of the virus. Under the Center for Disease Control funding, a \$40 million set aside was included for tribes, tribal organizations, and urban Indian organizations for tribal needs in response to COVID-19. Later, an additional \$70 million was identified from the Public Health and Social Services Emergency Fund to support the Indian Health Service (IHS). The bill was signed into law on March 6, 2020.

Relief Package #2

The Families First Coronavirus Response Act (H.R. 6201, PL 116-127) provided targeted relief for individuals and businesses, as well as expanded coverage for COVID-19 testing. The package includes expanded nutrition assistance, paid sick leave, and enhanced unemployment insurance coverage, free coronavirus testing, increased Medicaid funding, and \$64 million for IHS. The bill was signed into law on March 18, 2020.

Relief Package #3 (CARES Act – first bill to address higher education)

As much of the country began isolating to control the spread of the virus, AIHEC compiled a list of TCU pandemic related need with funding estimates needed to support campus operations and student learning. An overall estimated need of approximately \$140 million was identified for TCUs. AIHEC worked closely with other national American Indian organizations and higher education organizations to elevate TCU needs to Congress as the third COVID relief package was developed.

- Appendix: TCU, HBCU, and other MSI Group Request for \$1.5 billion (March 18, 2020)
- Appendix: NCAI Health and Education Needs Letter (March 20, 2020)

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (H.R. 748, P.L. 116-136) is the third legislative package enacted in response to the COVID-19 pandemic. A goal of the CARES Act is economic stimulation, but it is primarily a “relief” measure. At \$2 trillion, it is the most expensive bill ever enacted.

The CARES Act amends the U.S. Internal Revenue Code along with several other statutes and provides FY2020 *supplemental* appropriations for federal agencies. These appropriations – which are significant – are designated as “emergency spending” and are exempt from discretionary spending limits. This funding is “in addition to” the fiscal year 2019 appropriations and will have no impact on FY2021 spending bills.

- Appendix: AIHEC Press Release on CARES Act
- Appendix: TCU CARES Act Funding: A detailed report of TCU specific funding under the CARES Act.

CARES Act (Enacted)

| CARES Act (Enacted) | | |
|---|----------------|-----------------|
| Total Education Funding: \$30.75 billion | TCUs | BIE K-12 |
| ED: 90 Percent Fund | \$13.5 million | N/A |
| ED MSI/Title III Fund (\$1.047B) | \$50.4 million | N/A |
| Interior/BIE(\$69 million): | \$22.9 million | \$46 million |

| | | |
|---|----------------|---------------------------------|
| BIE Education Stabilization Fund (.5 of State Fund, w/ED consultation - \$153.75 million): | \$30.8 million | <i>Estimated: \$108 million</i> |
|---|----------------|---------------------------------|

CARES Act Implementation

There have been many issues encountered with the implementation of the CARES Act as federal agencies move to quickly administer relief aid and attempt to interpret congressional intent. Most significant for TCUs was the implementation of the BIE Education Stabilization Fund.

- Appendix: AIHEC Letter in Response to Listening Sessions (April 30, 2020)
- Appendix: AIHEC, NCAI, and NIEA Letter (March 31, 2020)

During the development of the CARES Act, AIHEC worked with Congressional staff who assured AIHEC that Congress intended to include TCUs under this particular provision. As the Bureau of Indian Education began to consult with the Department of Education, ED staff began to question congressional intent regarding the inclusion of TCUs. The Departments decided to host a tribal listening session to seek input on the potential split of the \$153.75 million between BIE K-12 schools and TCUs. After major technical difficulties with virtual conferencing systems, listening sessions were held on Tuesday, April 28, and Thursday, April 30, 2020. Despite being informed by BIE staff that TCUs would receive \$50 million from this fund, the BIE informed AIHEC on June 19, 2020, that TCUs would only receive \$30.8 million from this fund.

Other issues include the Department of Education's initial use of a national distribution formula when applied to the TCU portion of the MSI fund, an amount of \$50.46 million, which resulted in a skewed distribution favoring TCUs with higher enrollment. AIHEC worked with ED to quickly fix this issue and helped ED revert to the distribution formula used by the TCU Title III program as originally agreed upon between AIHEC and ED.

Within the CARES Act, there are several provisions included to provide relief and funding for small businesses. These provisions could also benefit institutions of higher education but require either legislative action or administrative action. AIHEC has joined the larger higher education community in urging Congress to address these issues.

- Appendix: COVID-19 Limited Liability Protections
- Appendix: Expansion of SBA Paycheck Protection Program

Relief Package #4 (Heroes Act in House; Senate = Forthcoming)

The House-passed Heroes Act (H.R. 6800) is the fourth legislative relief package in response to the COVID-19 pandemic. The Heroes Act includes \$90 billion for education, which is \$60 billion more than the CARES Act. While the Heroes Act does not provide as many targeted funding line items for TCUs, the overall funding provided directly to the Bureau of Indian Education is significantly greater and includes TCUs. Similarly, the MSI specific fund would provide a slightly greater amount for TCUs.

The Heroes Act was introduced by House Democrats on May 12, 2020, and passed the House three days later with a party-line vote. The Heroes Act moves to the Senate for further consideration, where little if no action is expected any time soon.

AIHEC provided recommendations to House leadership on the design and potential implementation of Heroes Act funding to avoid the complications experienced with current CARES Act funding, including using the HEA Title III TCU distribution formula and separate BIE administrative authority and oversight for BIE funding.

AIHEC has outlined three major requests for the next COVID-19 legislative relief package:

- \$65 million to cover projected TCU revenue losses;
- \$24 million TCU set-aside within USDA-Rural Utility Service for broadband;
- \$500 million for a BIE TCU Deferred Maintenance and Rehabilitation Fund.

Senators Kevin Cramer (R-ND) and Tina Smith (D-MN) co-led a letter to Senate leadership requesting \$65 million in BIE funding for TCUs to cover projected revenue losses. A total of 11 Senators signed onto the letter (1 Republican and 10 Democrats).

The Heroes Act, as passed by the House, will not pass the Senate. It is anticipated that the Senate will draft its own – and very different – COVID-19 relief package. AIHEC continues working to ensure TCUs are included in any future relief package.

- Appendix: COVID 4 TCU Urgent Needs (May 11, 2020)
- Appendix: COVID 4 TCU Broadband and Infrastructure Needs (May 2020)
- Appendix: TCU Facilities Needs Survey (July 2018)
- Appendix: TCU Broadband Request (May 2020)
- Appendix: NCAI Health and Education Needs Letter (April 15, 2020)
- Appendix: Senators Letter of Support of \$65 million in TCU funding (May 21, 2020)
- Appendix: TCU, HBCU, and other MSI Group Request for \$1 billion (April 4, 2020)
- Appendix: COVID funding for NIFA – APLU and other orgs (April 30, 2020)
- Appendix: Cost of Reopening Campus (July 2, 2020)
- Appendix: Comments on Interim Rule on CARES Act Emergency Student Aid Funds (July 2, 2020)

New Title IX Regulations: Campus Safety and Sexual Assault

Over the past two years under the direction of Secretary DeVos, the Department of Education has developed new regulations to govern a school's role in response to sexual harassment and assault. The proposed regulations were released in November 2018 followed by a 60-day public comment period. Over 124,000 public comments were submitted in response to the proposed rule and it took the ED's Office of Civil Rights over a year to review these comments. The new regulations were released on May 6, 2020, and colleges and universities must comply by August 14.

Aside from the untimely and short implementation period, there has been a backlash against the new regulation from sexual assault victim groups, civil rights groups, higher education associations, and Democratic attorneys general. College and universities are criticizing the new regulations as extremely burdensome and costly, especially for chronically underfunded community colleges.

- Appendix: Summary of Title IX Regulations from the National Women's Law Center
- [American Civil Liberties Union \(ACLU\) along with 4 sexual assault victims group, filed a lawsuit against ED challenging the new regulations.](#) (5/14/2020)
- [Eighteen Democratic attorneys general filed a lawsuit against ED concerning the August 14 deadline](#) (6/4/2020)

In response to the short implementation deadline during a national pandemic, the higher education community requested that the deadline for compliance be postponed. The American Council on Education and several members of the Washington Higher Education Secretariat (AIHEC is formally a member of both and joined in payment for the briefs) commissioned a law firm to draft and file an amicus brief urging postponement of the regulation's effective date. AIHEC formally joined amicus briefs submitted to the US Court of Appeals for the First Circuit on May 21, 2020 and federal court in DC on June 24, 2020. (The briefs are lengthy and available on request or through the link below.)

- Appendix: ACE joint letter – Delay of Title IX Regulations (June 10, 2020)
- Weblink: [Higher Education Community Amicus Brief on New Title IX Regulations](#) (June 24, 2020)

AUTHORIZATIONS

Higher Education Act Reauthorization:

Following the enactment of the Fostering Undergraduate Talent by Unlocking Resources Act (H.R. 5363) on December 19, 2020 – which permanently reauthorized mandatory Title III funding for TCUs, HBCUs, and other MSI, besides simplifying the FAFSA verification process – many predicted that Congress will not have enough time for serious consideration of the comprehensive HEA reauthorization. Legislation introduced and hearings conducted

during the 116th Congress by the House Education and Labor Committee and the Senate Health, Education, Labor, and Pensions Committee should be viewed as preparatory work for future HEA reauthorization efforts to take place during the 117th Congress and after the upcoming presidential election. We do not anticipate any HEA legislative action before the end of the year.

EDUCATING: PERFORMANCE ACCOUNTABILITY & TELLING OUR STORY

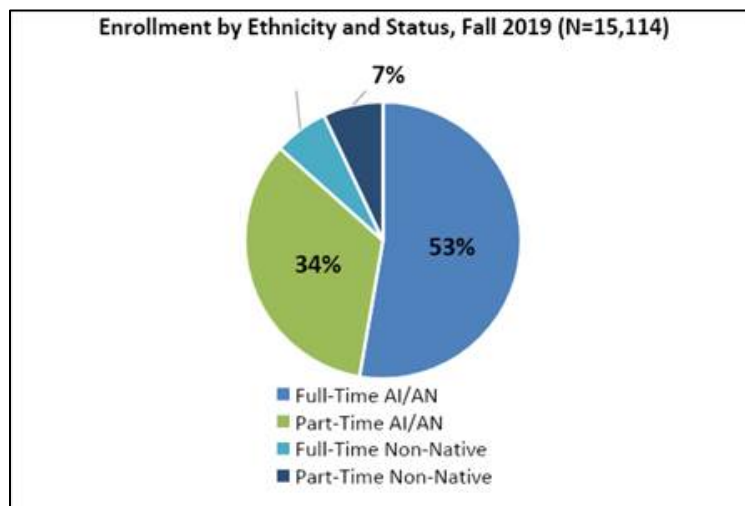


AIHEC AIMS

The 2019 AIHEC AIMS data collection cycle closed on January 15, 2020. All TCUs submitted final data within a week of the deadline. The AY 2018-19 data are now being aggregated. Data from the Fall 2019 interim report have been aggregated and are available for use. All TCUs submitted the AIHEC AIMS Spring 2020 Interim Report promptly, and the data has been aggregated and are available for use.

The 2020 AIHEC AIMS data collection cycle will officially open on August 1, 2020. There are no anticipated changes for this year, save for the section on distance learning.

While the in-person TCU Summer Meeting at Salish Kootenai College was canceled for 2020, a webinar series for TCU Institutional Researchers will be held the week of July 27, 2020, which will include a session on Power BI. AIHEC is seeking TCU IR staff, registrars, and others to lead sessions. Last year, participation generated dynamic discussions of data sharing across the TCU system, institutional use of data, student success, collective data action, ISC guidelines and reporting, and IRBs, as well as the opportunity to discuss TCU data in small groups. We hope to have lively virtual discussions this summer. Please contact Katherine Cardell (kcardell@aihec.org) if interested in facilitating a session.



Tribal College Journal Update

We are sad to announce that [Rachael Marchbanks](#), TCJ's longest-serving employee, has retired from full-time work at the Journal and has joined her husband's contracting firm, Simbeck and Associates. She continues to help out at TCJ with part-time marketing duties. Rachael has left an indelible mark on the journal and helped transform TCJ into a multimedia organization. But perhaps more important, she has been like a sister to us and we will miss her dearly. I know she misses all of you!

Due to the COVID-19 pandemic, TCJ's online advertising sales have dropped drastically – this is a trend throughout

the publishing industry. We are trying to make up this revenue online and through our monthly newsletter. We have an ad campaign on the TCJ Jobs Page for the TCUs for a flat fee of \$1000. TCUs can post unlimited listings for a year or \$600 for 6-months of unlimited postings. We have sold two contracts with this rate structure and hope it continues to help the TCUs with the sometimes difficult task of finding employees.

TCJ's print sales went very well these past quarters. A special thanks to all the TCUs that are advertising. We have spent time calling clients for the Fall issue as well as renewing contracts. We had several new full-page ads, including the Ph.D. Project, Cankdeska Cikana Community College, NTU- Veterinary Technology Program, NTU- Animal Science/Land Grant Program, and Institute of American Indian Arts. College of Menominee Nation secured the back page for this issue. Thank you all!

TCJ's summer issue (31.4) on Tribal College Families was mailed out in late April. The issue includes two main features, plus a variety of departmental and web-exclusive content.

TCJ has maintained its laser-like focus on tribal colleges and we're happy to note that all content for the summer issue was written and submitted by TCU faculty, staff, students, and affiliated organizations. In the feature, "[Whole Family Engagement: STEM Education at United Tribes Technical College](#)," tribal science outreach coordinator Anna Bahnson relates the stories of three students with families to show how UTTC puts families first and does whatever is necessary to accommodate them. In the feature, "[Nurturing the Wakanyeja: Early Learning Centers at Tribal Colleges](#)," Cheryl LaRose and Hannah Gozales discuss how the American Indian College Fund's early childhood initiative has forged partnerships with early learning centers that give students with children the support they need to succeed, while also providing an Indigenous centered education.

Departmental pieces in the print issue include [Talking Circle](#), penned by Terra LaMotte-Harvey, and Annabah Conn, which looks at the array of family services available at Diné College. This issue's [Profile](#) highlights one family where attending tribal college has become a tradition. Dina Horwedel of the American Indian College Fund shows how Leia Fish's experience at Blackfeet Community College led her to a career devoted to advocating for Native-centered education and influenced her daughter to enroll at Haskell Indian Nations University. Our regular student department, TCJ Student, features the poem "[Offering Tobacco](#)" by LaVerne Whitebear of Sisseton Wahpeton College and the painting *Sentinel* by Dennis C. Houle of UTTC. Meanwhile, [Sitting Bull College](#), [Navajo Technical University](#), [College of Menominee Nation](#), and the [Institute of American Indian Arts](#) all submitted featurettes on various family-focused programs or initiatives for TCJ's On-Campus department.

Web-exclusive content published with the summer issue includes the feature article "[The Jewel Benson County](#)," which highlights Cankdeska Cikana Community College student perspectives on the central role that their tribal college plays in their lives. For the summer installment of the Current Reflections podcast, TCJ interviewed longtime ally [John Gritts](#), who discussed the importance of family at tribal colleges and how TCUs have impacted his own family. We also are continuing to feature "Our History: Memories of the Tribal College Movement," an ongoing podcast which Christine Reidhead of NTU has contributed over the past year. Podcast 9 focuses on the far-reaching influence of Oglala Lakota College founder [Gerald One Feather](#). Also, College of Menominee Nation professor Ryan Winn contributed his regular column, [Writers Corner](#), and Jasmine Neosh, also of CMN, continue to submit bi-monthly posts for her thoughtful Blogspot, "[Rezilience](#)."

Currently, TCJ is in the designing and proofing stage for the fall issue (32.1) on Citizenship and Democracy. As TCJ's biggest issue of the year, it will also include the 2020 edition of *TCJ Student*. Despite the cancellation of the AIHEC Student Conference, TCJ received numerous submissions to both our creative writing and art contests and we are proud to honor and celebrate tribal college students and their tremendous creative energy in this special forthcoming edition of *TCJ Student*. Pulitzer Prize finalist, *New York Times* bestselling author, and tribal college graduate [Tommy Orange](#) is the guest editor of the issue. While all of [Orange's selections](#) will appear in the print issue of *TCJ Student*, we will highlight many more creative writing entries and artworks at TCJStudent.org, so please check them out! Finally, we're pleased to note that [Suni S. Vizcarra Wood](#) of IAIA is the winner of the 2020 TCJ Student film contest for his remarkable live-action piece, *Yaku, the Water Spirit*. TCJ is again partnering with the [Pocahontas Reframed](#)

[Storytellers Film Festival](#) in Richmond, Virginia, which has awarded Vizcarra Wood a \$1000 honorarium and an all-expenses-paid trip to Richmond where he will present his film at the historic Byrd Theatre.

Besides our regular editorial schedule for the quarterly journal, TCJ has been making frequent updates and posting new stories at tribalcollegejournal.org, many of which focus on the effects of the COVID-19 pandemic in Indian Country and at tribal colleges. TCJ published its very own special report, which you can access [here](#). For [Tribal College Press](#), we are currently at work on our next manuscript entitled, *Meditation on Ceremonies of Beginnings*, a collection of poems by Tom Davis about tribal college leaders, the TCU movement, and the founding of the World Indigenous Higher Education Consortium. We hope to finish work on the manuscript this fall, with a tentative publication date of January 2021.

TCJ continues to send out a bi-monthly e-newsletter but we are always looking for new recipients. Please suggest to your faculty, staff, students, and other constituents that they can subscribe for free to our bi-monthly e-newsletter and receive news, columns, book reviews, and more.

INNOVATING: STRENGTHENING COMMUNITIES

Indigenous Evaluation Framework

Joan LaFrance is busy at work finalizing the updated and revised Indigenous Evaluation Framework. We are looking forward to a publication date soon.



The revision reorganizes some of the material in the initial training manual and adds new content. The first section covers the four foundations of Indigenous evaluation. This section was presented in a three-hour workshop at the 2019 American Evaluation Association Conference. The Seven Directions Institute for Public Health, a national organization located at the University of Washington, asked Joan LaFrance, the Co-PI on the project, to present the Foundations training through their online professional development program. Usually, they have about 50 participants register for their sessions.

However, 175 people have registered for the Foundations of Indigenous Evaluation sessions, to be delivered in three one-hour sessions in late June and July. The University of Wisconsin -Green Bay has recruited Dr. LaFrance to teach a course on evaluation to their American Indian graduate students. She is incorporating the Indigenous Evaluation Framework into the two-credit course. The syllabus for this course and its related readings will be an additional deliverable for this project and available on the AIHEC website.

The layout for the manual is continuing and will be completed by the end of July. There have been requests for presentations on the revised Indigenous Evaluation Framework.

Reclaiming the Words of Our People Initiative: *A Collaborative TCU Native Language Action Planning Project*

This project, funded by the Wells Fargo Foundation, is the first nationwide initiative to bring together TCU Native Language faculty and staff to share and documenting best practices, identify needs and formulate a common strategy and an action plan for the teaching and preservation of Indigenous languages. Dr. Jurgita Antoine serves as lead researcher and project director.

This quarter, the following progress was made in the areas of literature review, an overview of TCU language programs, and partnerships:

- In April, we started conducting virtual campus site visits of TCU language programs. At this stage, the literature reviewed is mainly news articles featuring work done at specific language programs or highlighting the achievements of TCU language faculty and students.
- Site visits are conducted at an average rate of two per week. This week, sixteen site visits will be completed.

Contact with most colleges has been initiated.

- Twenty-three languages representing nine language families are taught at TCUs. Out of 38 TCUs, 31 teach indigenous languages, and about half of those have degree programs in their community's language/s. Seven TCUs teach more than one language. Ten TCUs have well-developed programs that include multiple levels of language courses and courses in linguistics, including language revitalization. Most TCUs offer at least two levels of language courses. At least four TCUs have partnerships with K-12 immersion programs or host them on college premises.

The emerging needs are assistance with curriculum development, teaching methodologies suitable for specific languages and student learning styles, resource development, and adapting to online teaching. We are currently investigating possibilities with several partners including a school, IT professionals, and publishers for a pilot project to expand, update and adapt to online use a language curriculum developed at one of our TCUs.

In March, Dr. Antoine was invited to join America's Languages Working Group hosted by the American Academy of Arts and Sciences (AAAS). Their project, "The Promise of America's Languages: Best Practices in U.S. Language Education", received a Mellon Foundation grant in April to design an interactive map of the best language programs in the United States. The map will be hosted at the University of Maryland. TCU and K-12 indigenous language programs will be included in this effort.

Our workshop "DIY Mixed-Media Production: Sharing Our Stories" -- planned for the AIHEC Student Conference in Albuquerque, NM -- was canceled, but this may be a blessing in disguise. Our team worked to transition the session into an online format, developing the **AIHEC/TCU Mixed Media Collaborative (MMC) project** to encourage and support TCU faculty and students in the creation of digital media content including language pedagogy. Since April, we have offer weekly zoom webinars where we discuss various topics such as best practices in Indigenous language teaching and demonstrate tools and resources for the creation of media content.

Our team, which includes partners from Canada's OCAD University's Inclusive Design Research Centre and the Center for Open Education, developed a wiki platform that provides an online space for TCU faculty and students to work on media projects and share ideas and resources. Moema Umann, media specialist and instructor at Iḷisaḡvik College, provides training by webinar and one-on-one support to MMC members as needed. Up to 70 participants join the webinars weekly. The topics range from reviews of various tools and resources such as video gaming for online teaching to indigenizing academic curricula. Please encourage your faculty to join us!

Please direct questions and comments or inquiries to Jurgita Antoine (jantoine@aihec.org).

National Native Health Research Training Initiative



AIHEC is now in the fourth year of our partnership with the federal Indian Health Service (IHS) and the Native Research Network (NRN) to organize and host an annual National Native Health Research Training initiative. Unlike previous years that focused on creating a comprehensive NNHRT Conference, the objectives have been refocused to create a monthly webinar series. The goal of each webinar session remains the same as the original Conference objectives: to strengthen, sustain, and share best practices in American Indian and Alaska Native (AI/AN) Tribally driven and

Tribally directed research, training, and collaboration. AIHEC's vision for the initiative is to develop the capacity of AI/AN Tribes, Tribal Colleges, and Tribal communities to plan, manage, use, and disseminate the outcomes of their health research that will lead to changes in health policy and practice and significantly reduce the health disparities within AI/AN communities.

The inaugural webinar series took place on June 17, 2020, via Zoom. Each webinar series is scheduled on the third Wednesday of the month from 2-4 pm EDT and includes a keynote speaker and a student activity speaker, along

with abstract presentations and panel discussions.

The webinars are an excellent opportunity for TCU faculty and students to present research findings, learn how to present research findings, receive mentoring from the nation's top Native researchers, and network with leaders in the health research community.

The NNHRT Webinar series is currently planned through November 2020. Information on upcoming webinars and registration can be found on the NNHRT website: www.nnhrti.org. Reach out to mgrandon@aihec.org with questions and inquires.

TCU CYBERINFRASTRUCTURE INITIATIVE ***TCU Cyberinfrastructure Study Project***

Due to the COVID-19 Pandemic, the TCU CI-Study project team had to halt their TCU site visits with only two colleges remaining to host a visit. Over the previous two years, the TCU site visits resulted in recommendations (policy, hardware/software, staffing, etc.) to help 34 TCUs take better advantage of campus technologies to support their research and education programs. AIHEC was recently notified that funding has been approved from the NSF Campus Cyberinfrastructure program, which is funding the TCU CI Study project. This new grant will allow AIHEC to continue supporting the TCU IT community of practice, facilitate CI-enabled STEM research and education activities, and support TCU CI strategic planning.

Since mid-March, the AIHEC CI Study team has conducted 30 virtual site visits with the TCU IT directors to better understand and support their challenges and long-term infrastructure development as they transition to online instruction due to the COVID-19 pandemic. After the virtual site visits the CI Study team will implement a community of practice model which will engage TCU IT directors in a variety of activities that encourage cross-institution discussions and information sharing as well as professional development opportunities involving regional and national CI partners.

Currently, AIHEC hosts a weekly webinar/meeting with the TCU IT directors to share experiences and discuss strategies to address the challenges imposed on IT departments at TCUs due to COVID-19. Recent discussions included presentations on classroom technology for hybrid and online courses, an update on the initiative for broadband access on tribal lands, and IT staff development through the Cisco Academy. The IT directors' discussion with Cisco Academy representatives resulted in Cisco providing 40 scholarship slots to TCU IT staff for cyberinfrastructure and networking courses beginning in early August.

CRIA Program: AIHEC has been awarded a grant under NSF's CI Research Alignment Program (CRIA) program to advance the STEM education programs at the nation's 37 Tribal Colleges and Universities (TCUs) by implementing a comprehensive Cyberinfrastructure (CI) capacity-building strategy that focuses both on the colleges' STEM faculty and CI support staff. With support from external partners and regional institutions, this comprehensive CI strategy will focus on CI training, planning, and community-building involving both STEM faculty and TCU IT organizations, providing the resources, technical assistance and national network to advance participating TCUs toward CI-readiness and CI-enabled STEM research and education programs. A sustained TCU community of CI practice will facilitate collaboration among STEM faculty and IT department personnel at the TCUs and with national CI partners, broadening dissemination of research computing best practices and shared technical knowledge and skills.

TCU CI Research and Education Capacity Building

Through supplemental funding from the BIA Tribal Resilience Program, AIHEC has hired Russel Hofmann as our climate science facilitator. Russell is a former doctoral student in computational chemistry at North Dakota State University who is helping develop education and research support resources that will provide TCU faculty and students the opportunity to access and work with climate data from NASA, USGS, NOAA and other major members of the national climate science research community. Russell is currently working on the following projects.

Climate Collaboratory

Climate Collaboratory is a multi-part practical research training and experience project. AIHEC is developing computational climate science coursework which will be accessed through the Praxis Tile learning management platform. In addition to the course, the Praxis Tile platform will be used to support student-led climate research projects. The initial project will be for students to produce climate vulnerability assessments for tribal lands.

TCU Students' Research Experience for Undergraduates (REU)

Russell is serving as a coach to four TCU students participating in an REU with Dr. Geoffrey Fox of Indiana University. The students are applying deep learning/artificial intelligence methods to the epidemiology of Covid19 and climate science research problems. The students have progressed through all their training and at the end of June participated in the Artificial Intelligence for Earth System Science week-long summer school.

Research Facilitation

Russell Hofmann is available to provide CI enabled research facilitation to all TCU faculty. This entails working with researchers at tribal colleges who are currently (or anticipate) conducting computational research, assisting them in accessing additional computing resources at regional and/or national high-performance computing facilities. He is also available to provide access to the training necessary to make the transition effectively. Currently, Russell Hofmann is working with Vince Iglehart of UTTC to move his machine learning project work to the Center for Computationally Assisted Science and Technology at NDSU.

AIHEC Tribal Climate Science Liaison

The AIHEC Tribal Climate Adaptation Science Liaison has continued to be an important resource to tribal nations and tribal colleges and universities (TCUs) within the Southwest Climate Adaptation Science Center (SW CASC) region (California, Nevada, Utah, Arizona) by providing information, technical assistance, and access to subject matter experts necessary to support local climate resilience research, planning, and implementation efforts. Tribal Climate Adaptation Science Liaison, Althea Walker, is identifying tribal needs for scientific knowledge, improving climate adaptation planning support, improving coordination of federal agency resources and outreach capacity to support tribal climate adaptation efforts, and facilitating the integration and coordination of liaison activities with other SW CASC/AIHEC climate science activities.

Highlights include:

- Student Mentorship: June 2020 – BIA Pathways Internship Program. The Tribal Climate Adaptation Science Liaison began hosting intern, Corwin Carroll (White Mountain Apache), in June 2020. The Program successfully leverages resources and alliances with academia, other Federal agencies, and tribal nations to increase the number of qualified entry-level students in science, technology, engineering, and mathematics (STEM) careers across Indian country.
- Conducting outreach to tribes, tribal organizations, and TCUs to identify climate readiness activities and priorities:
 - July 2019 – Participated in Honoring the Whole Student workshop in the Village of Hydaburg, Alaska. The objective of this workshop was to bring together geoscience diversity leaders from seven underrepresented communities (women, Native American/Alaska Native (NA/AN), Pacific Islanders, disability, first-generation, African American and Latinx) to cultivate a network poised to critically examine practices for the support and mentorship of undergraduate students who identify with more than a single diverse community. The project resulted in the creation of Honoring the Whole Student: Developing Space for Native American Students in STEM by Supporting Complex Identities Workbook.
 - August 2019 - Assisted in planning and implementation of the Southwestern Tribal Climate Change Summit, which provided a space for tribes of the Southwest to build capacity in tribal climate adaptation planning; Provided tribal professional/student travel support; SW CASC sponsored;

- Funding has been granted by the BIA TRP for the 2021 Summit, in which will focus on cultural burning.
- Fall 2019-Spring 2020 Inter-Tribal Council of Arizona (ITCA). The Tribal Climate Adaptation Science Liaison presented three workshops as part of ITCA's Tribal Resiliency Workshop Series (funded by the BIA TRP). The three workshops were titled, Building Tribal Resiliency (Phoenix, AZ); Inhale Resilience, Exhale Solutions (Mesa, AZ); and Wildfire, Ecosystem, & Indigenous Well-Being (Flagstaff, AZ).
 - June 2020 – SW CASC Tribal Engagement Strategy (TES). The Tribal Climate Adaptation Science Liaison led the efforts in drafting and finalizing the SW CASC TES, which provides a vision for tribal engagement in the region, which includes the diversity of the SW, tribal climate concerns and actions, the role of the SW CASC, a statement of principles, proposed tribal engagement activities, tribal partners, and opportunities for engagement.
- Facilitating discussions within and among Tribal communities to exchange knowledge, experience, and perspectives concerning climate vulnerability and adaptation:
 - November 2019 – Healthy Forests, Healthy Watersheds Workshop. The Tribal Climate Adaptation Science Liaison partnered with the University of Arizona Laboratory of Tree-Ring Research on the workshop. The purpose of the Workshop was to gather Southwestern U.S. experts on climate change impacts, adaptation, and mitigation responses, with a special focus on tribal lands. A combination of natural resource managers and scientists from Southwestern (New Mexico and Arizona) Tribal, Federal and State agencies, NGOs, and academia participated.
 - February 2020 – The North Fork Mono Tribe hosted a Resource Restoration Cultural Burn in Mariposa, CA. The Tribal Climate Adaptation Science Liaison participated fully in this early February workshop over the course of 3 days. The goal of the workshop was to introduce participants to the principles of cultural burning, which involve the targeted use of fire as a tool for ecosystem conservation and restoration. Over 100 people attended including students, local and non-local tribal community members, other local community members, fire departments and Cal Fire, state legislators, and regulators from air quality management districts, as well as several SW CASC staff. The SW CASC and Tribal Climate Adaptation Science Liaison have found multiple opportunities to continue to support cultural burning efforts in the region.
 - May 2020 – Indigenous Peoples Climate Change Working Group. The Tribal Climate Adaptation Science Liaison and Al Kuslikis are partnering with Haskell Indian Nations, the North Central CASC, and two Ph.D. candidates from the University of Kansas and University of New Mexico on a series of virtual gatherings for the working group where the group discusses the future generations of Indigenous geoscience professionals, educators, and workforce. The IPCCWG is open to all who share our commitment to strengthening the connections between tribes, tribal colleges & universities, research institutions, federal agencies, and non-governmental organizations. Started in May 2020, the IPCCWG hosts virtual gatherings every month.
 - July 2020 – Southwest Tribal Climate Camp. The Tribal Climate Adaptation Science Liaison is collaborating with Navajo Technical University (Project Lead), and the Affiliated Tribes of Northwest Indians on the Camp. The Tribal Climate Resilience Camp is funded by the BIA Tribal Resiliency Program and will support teams of Tribal Leaders, climate change coordinators, planners, and program managers to build skills, gather information, and develop Tribal policies and plans needed for Tribal Nations to address climate change impacts. The Camp was originally planned for July 2020 on the NTU campus but is now postponed until further notice.
 - August 2020 – Institute for Tribal Environmental Professionals National Tribal & Indigenous Climate Conference. The Tribal Climate Adaptation Science Liaison is assisting with planning efforts as a Carbon Neutral steering committee member; the conference is now going virtual due to Covid-19.
 - November 2020 – 2020 Southwest Adaptation Forum. Planning began in Fall 2019. The Tribal Climate Adaptation Science Liaison is leading the planning efforts for the Forum, which are

focused on engaging with tribal partners. The Advisory Committee is composed exclusively of tribal members, and the team has hired a facilitator that specializes in working with Indigenous Peoples, to ensure that the Forum addresses the needs of our tribal partners first and foremost. The SWAF was originally planned for November 2020 but has been postponed to 2021 due to COVID-19.

- Capacity Building & Professional Development
 - January 2020 Tribal Engagement 2-Day Training at Arizona State University. With two other SW CASC staff, the Tribal Climate Adaptation Science Liaison attended 2 days of training on transformative relationships, engaging with tribes, and tribal sovereignty. The training was provided by Seventh Sovereign LLC.
 - Current—Institute for Tribal Environmental Professionals Tribes & Climate Change Advisory Committee
 - Current – Indigenous Foods Knowledges Network Steering Committee
 - Current – Winds of Change Magazine Editorial Board

AIHEC LAND-GRANT PROGRAMS

Association of Public and Land-Grant Universities (APLU) Partnership: AIHEC continues to work with APLU on several boards and committees, including APLU's Budget and Advocacy Committee (BAC) and the Committee on Legislation and Policy (CLP—otherwise known as the “Farm Bill Committee”). The BAC has been active in advocating for stimulus funding to support ongoing land-grant research and extension programs, including support for 1994 programs. The CLP has begun to gather stakeholder input for the next Farm Bill authorization (in about three years) and AIHEC will be soliciting input from the TCUs soon. Should you have any input to share, please contact Patrese Atine (patine@aihec.org) and/or John Phillips (jphillips@aihec.org).

Outreach to Tribal Farmers & Ranchers: AIHEC received continuation funding for its USDA Outreach to Socially Disadvantaged Farmers, Ranchers, and Veterans Program to support TCUs in providing direct training and technical assistance to Native agricultural producers. Three TCUs (College of Menominee Nation, Little Priest Tribal College, and Navajo Technical University) are participating. The one-year projects included at least one local community training workshop. Each TCU employed a VISTA volunteer who helped implement a training and technical assistance program that helped agricultural operators and/or household gardeners increase their local food production and economic activity. Likewise, AIHEC received funding from the Native American Agriculture Fund (NAAF) to support two additional TCUs (Bay Mills Community College and Lac Courte Oreilles Ojibwa College).

Needs Assessment: COVID-19 Challenges and Opportunities

AIHEC has applied for NAAF COVID-19 Rapid Response funding to conduct a COVID-19 needs assessment, and a funding decision is pending. If funded, a comprehensive needs assessment will be conducted to determine the challenges and opportunities related to research, extension, and teaching in a COVID-19 context. This will also include surfacing and sharing innovative ways of operating in a post-COVID environment.

Annual FALCON Conference Scheduled for October 24-26, 2020

The First Americans Land-grant Consortium (FALCON) 2020 Conference, a gathering of nearly all 1994 institutions, is scheduled for October 24-26, 2020, in Albuquerque, New Mexico. FALCON membership includes 1994 Land-grant administrators, directors, faculty, and staff. It is sanctioned by the board of directors of the American Indian Higher Education Consortium to provide technical assistance, professional development, and networking opportunities to 1994 Land-grant participants. A decision on whether to hold the conference in-person, as a hybrid, fully virtual or to cancel the conference will be made in mid-July.

FALCON: Expanding Partnerships in Water Resources

FALCON is working with the Western Extension Directors Association (WEDA) and other regional land-grant associations to develop partnerships among 1862 and 1994 land grant programs, and continues to coordinate several 1994/1862 water-related working groups to plan for a collaborative initiative around water education, research, and outreach. For example, FALCON is working with the University of Nevada-Reno, other 1862 land-grant institutions, and several TCUs to provide 1994 expertise on tribal water issues.

AIHEC-TCU VISTA Program

The AIHEC Tribal VISTA Program continues to help build the human capacity at the TCUs. In the last quarter, the program re-enrolled one site and enrolled three new sites (Navajo Technical University, Bay Mills Community College, and Lac Courte Oreilles Ojibwa College). In total, the program now supports 16 VISTA members in seven states, with 10 placements at TCUs. The program's goal is to support more TCUs, which remain our top priority audience. Our goal is to place VISTAs in 20 TCUs over the next several years.

The AIHEC Tribal VISTA Program includes three areas of focus: (1) natural resource management; (2) education, student success, and youth development; and (3) behavioral health. The program has implemented a cost-share policy which will help it become financially self-sustaining. The Corporation for National and Community Service (CNCS) charges AIHEC a 25 percent cost-share, therefore, the cost to each site of hosting one VISTA member is \$8,000-\$12,000. For this sum, the host TCU or tribe receives a qualified full-time employee with full benefits for one year, as well as training and technical assistance from AIHEC. For more information on the AIHEC Tribal VISTA Program, contact John Phillips, jphillips@aihec.org.

AIHEC JOB CREATION IMPERATIVE

DoE-Advanced Manufacturing Initiative

As was reported earlier, the AIHEC/TCU Advanced Manufacturing Network Initiative (AMNI) is in the first year of a 2-year grant intended to allow the five participating colleges to continue developing their programs and achieve sustainability so they can continue to operate beyond the period of DOE funding. The AMNI colleges (BMCC, CCCC, NTU, SKC, and TMCC) are continuing to develop their advanced manufacturing facilities, offer AM courses, and conduct outreach activities to area high schools to generate interest in advanced manufacturing and engineering careers and recruit students to the program. Dr. Stan Atcity, a Navajo research engineer at Sandia National Laboratories continues to serve as a lead expert consultant working with this project. Amy Moser from the Kansas City National Security Complex continues to provide subject matter experts from KCNSC to support the colleges' projects and is serving as liaison with the HBCU advanced manufacturing consortium.

Navajo Technical University had planned to host the Initiative's 8-week Advanced Manufacturing Summer Institute. Due to COVID-19, the Institute is being conducted in a hybrid format. During the first 6 weeks, students are acquiring a firm grounding in key advanced manufacturing skill and knowledge areas through a combination of online lectures and self-paced online courses from Tooling U and Solid Professor, two industry-standard training providers. The final two weeks of the Institute will be completed using advanced manufacturing equipment at the students' home



Design for Veterans Memorial Hallway at Red Lake Nation College, designed by VISTA Shelly Knight.



VISTA Walter Robles distributes bags of herring eggs (an Indigenous food) for the Ketchikan Indian Community.

institutions during which they will complete projects involving 3D design, engineering, and metrological testing. Fifteen TCU students have been recruited to participate in the Institute.

Department of the Interior Office of Trust Records (OTR) Records Management Program

Blackfeet Community College and College of Menominee Nation are completing Year 4 of the project to develop and offer Records and Information Management certificate programs under the TCU Records Management project funded by the BIA Office of Trust Records. The project is intended to increase the number of TCU students prepared to enter the records management workforce.

In year 5, both BFCC and CMN plan to offer an online version of the RIM program that will be available to all TCU students. The RIM I and II courses that constitute the certificate program could be incorporated into existing TCU business certificate or degree programs at other TCUs interested in helping area tribal agencies, businesses, and service providing organizations strengthen their records management capability.

Department of Defense (DoD) Faculty Fellowship Research Team Program

The AIHEC DoD Faculty Fellowship Research Program, sponsored by the Office of the Under Secretary of Defense for Research and Engineering, supports faculty/student teams from TCUs to work with researchers on projects at DoD research facilities located throughout the country. Each team is composed of one faculty member and at least one student teamed with a research collaborator at a DoD facility. At the January 15 deadline to apply for the summer 2020 fellowship program, the program had 30 applicants. In April AIHEC submitted acceptance letters to 10 teams of 21 TCU faculty and students to conduct their fellowships on various topics including environmental remote sensing, neural networks, nuclear physics, cognitive psychology, land-atmosphere dynamics, and synthetic biology. Due to the COVID-19 Pandemic, the DoD mandated in May that all fellowships and internships for summer 2020 be conducted remotely from home. The remote fellowships began in June and will run ten weeks to mid-August. The DoD hopes to host an in-person fellowship symposium in July, but due to the pandemic, the symposium will likely be conducted remotely over two days in August. Over the fall, AIHEC and the DoD plan to host a fellowship recruitment workshop similar to the workshop hosted last year at Southwestern Indian Polytechnic Institute in Albuquerque that attracted 20 participants from the TCUs.

ENGAGING: STUDENT SUCCESS

Bill and Melinda Gates Foundation: Intermediaries for Scale Initiative

After a rigorous yearlong competition that began with well over 200 applicant organizations, in January 2020 AIHEC was selected to be one of twelve organizations awarded funding to serve as a Bill and Melinda Gates Foundation Intermediary for Scale (IFS). The overarching goal of the IFS initiative is to support a broad network of postsecondary institutions in adopting transformation changes to improve student success, with an emphasis on equity for underserved students. This multilayer project is divided into stages, beginning with the current two-year Blueprint Stage, during which AIHEC is focusing on developing and implementing a business plan to build internal capacity for supporting transformation efforts with our TCU partners while also supporting work with the TCUs to initiate change. Successful completion of this stage of the project will position AIHEC for continued funding as an IFS in the project's next stage. Since the award was made in January the project has engaged in the following activities.

Building the IFS team: Carrie Billy and Al Kuslikis, who were the chief architects of the AIHEC IFS concept and proposal, have stepped away from the project, to the extent possible. The IFS team currently is composed of Grace Mukupa, Student Success Associate, Katherine Cardell, Research Analyst, and two new staff, Dr. Regina Sievert, Executive Director of Innovation and Research, who spent over 20 years at Salish Kootenai College and two years with the NSF-TCUP program, and Daphne LittleBear, Research Director, whose biography can be found with the Lumina project update.

AIHEC Business plan development: The business plan will guide AIHEC's work overall and as an IFS, providing a roadmap for building internal capacity conducive to supporting the TCUs in realizing their self-identified

transformational priorities. Business plan development proposals from three companies were reviewed by AIHEC staff and a contract with FSG is in negotiation. The anticipated start date on the business plan development is Autumn 2020.

Collecting and using institutional assessments: AIHEC staff completed the ICA while a sample of TCU personnel piloted the ITA to gather information about their respective institutional capacities. Leadership from each institution then collaboratively reflected on their data in multiple meetings and devised customized plans prioritizing transformational efforts to build their capacity for improving TCU student success. Research Analyst Katherine Cardell is also working with TCUs to use of the PDP as an assessment instrument to inform TCUs' work. The results of these assessments will also inform the business plan development and AIHEC's future IFS efforts.

TCU professional development in online instruction: In response to the needs expressed during our weekly TCU web meetings, AIHEC worked with the Association of College and University Educators (ACUE) to deliver a 6-week virtual course in effective online instruction for TCU faculty. Over 450 TCU faculty members applied for enrollment. (We originally envisioned 120 faculty participants!) In the end, AIHEC has been able to support 330 faculty to participate in the six-week course. Another 60 are participating, with the fees paid by their institutions. AIHEC is coordinate the faculty in learning communities, and we worked with ACUE to include TCU-based facilitators who are working to ensure that tribal culture and values are at the core of TCU online instruction. The 6-week course began in June 2020 with a full complement enrolled. Eleven AIHEC-contracted TCU faculty experts in online instruction are facilitating the course, fostering the integration of content relevant to teaching in TCU contexts, and the evolution of the TCU Community of Practice. Enrollees will earn a micro-credential in online instruction upon successful completion of the course.

Participating in the IFS Networked Improvement Community (IFS-NIC): AIHEC is an integral member of the IFS-NIC, comprising the twelve IFS organizations, CatalystEd, and other technical assistance providers, whose goal is to join forces in bringing to bear their expertise and other resources to support positive changes in postsecondary education. IFS team member's Grace Mukupa and Regina Sievert are representing AIHEC in the NIC Advisory Subcommittee, which is planning a NIC virtual convening scheduled for August 2020; The AIHEC IFS team will design and facilitate sessions on equity in education during that convening.

Contributing to the knowledge base: A major emphasis of the IFS initiative is the generation and sharing of new knowledge about institutional transformations that promote equitable student outcomes. AIHEC is making a two-pronged effort regarding this objective. First, IFS team members are contributing to current research studies such as the Lumina-funded project to develop a holistic framework for AI/AN postsecondary student success. This work dovetails with the IFS and will help guide future collaborations with TCU partners. Second, the IFS team is working to secure additional funding for research; one grant proposal was submitted in June, another is under development for submission in mid-July, and a third study on the impacts of the pandemic on TCU students will be submitted for approval by the Research Committee in July 2020.

AIHEC Lumina Foundation Students Success Secondary Research Study Initiative

The Lumina Foundation has funded the *American Indian/Alaska Native Student Success Secondary Research Study*, a study that focuses on identifying factors that influence American Indian/Alaskan Native (AI/AN) postsecondary student success. The goal of the project is to develop a holistic framework of strategies that colleges and universities can use to support AI/AN student postsecondary success. The framework is informed through an extensive literature review and focus groups with TCU stakeholders to gather data about factors contributing to student success and the challenges that they encounter in the pursuit of postsecondary credentials. An advisory committee of experts in AI/AN education and culture guides the work.

The framework is not meant to replace existing success strategies; rather, it will provide a framework to support the overarching initiatives that assist postsecondary credentialing programs for AI/ANs at multiple levels, including postsecondary institutions, Tribes, and state/federal governments.

AIHEC Research Director Daphne Littlebear, who joined AIHEC in March 2020, leads the project's work, overseeing a team of graduate research assistants (GRAs) and AIHEC research staff.

March Institutional Review Board (IRB) Application developed

April IRB application approved by the Northwestern Indian College IRB. Recruitment of GRAs to assist in the study. Continued work on annotated bibliography and literature review

May Hire GRAs. Continue annotated bibliography and literature review for study

June Onboard Graduate Research Assistants. Submit a request to Lumina Foundation for a 1-year No Cost Extension to complete the study. Continue annotated bibliography and literature review for study. Examining additional tools/software needs for study i.e. EBSCOhost and Altas TI. Planning for focus group training to be held in August.

July Draft theoretical holistic framework for submission to the Lumina Foundation by July 30, 2020.

National Institutes of Health: IPERT II

Aseto'ne Network Project - Encouraging Students to Pursue Health Research Careers

In the Cheyenne language, Aseto'ne refers to the concepts of growth and taking the first steps. The purpose of the Aseto'ne Network Project (ANP) is to establish a broad, multi-institutional initiative to coordinate outreach, educational enrichment, mentoring, and exposure to research for TCU students. The project is intended to promote student interest and engagement in health and biomedical research, building on health-focused programs and initiatives which the TCUs currently offer or with which they are involved.



AIHEC has partnered with the University of Nebraska Medical Center (UNMC). Ms. Carrie Billy and Dr. Maurice Godfrey are co-PIs, Reno Charette is the Project Director. The proposal was funded for four years under the National Institutes of Health (NIH) Innovative Programs to Enhance Research Training (IPERT) Program on May 28, 2019, with a start date of June 1, 2019.

Originally planned a 2-week summer institute (onsite) for TCU students, we have been working tirelessly to transform the Aseto'ne Network Institute into an enriching and exciting online experience for our students. Contemporary students are sophisticated in their knowledge of electronic media and they eagerly explore new technology. The multimedia skills of TCU students empowered Aseto'ne to modify a face to face institute to a virtual one with new partnerships for online learning and mentoring.

New partners in the planning and implementation of the Aseto'ne Virtual Institute include the University of North Dakota (UND) under Dr. Don Warne's leadership for educational content and the National Research Mentoring Network (NRMN) has set up an exclusive cohort website for Aseto'ne participants. The Aseto'ne Virtual Institute will include webinars hosted by the National Native Health Research Training Initiative (NNHRTI), and the Society for the Advancement of Chicanos/Hispanics and Native Americans in Science (SACNAS), as well as educational content from UNMC and UND. The Aseto'ne Virtual Institute will be delivered on an innovative platform contracted through Praxis AI with a launch date during the week of July 6.

UNMC is contracted to provide three webinars, two learning modules, and two short courses per year. These materials will be available for all TCU faculty to use. Similarly, the NRMN Aseto'ne mentoring cohort is open for all TCU students. UND will provide content on rETHICS, Adverse Childhood Experiences and Historical Trauma, Population Health Research Methods, and COVID-19.

Recruitment materials for the Aseto'ne Virtual Institute and the Aseto'ne NRMN Mentoring Cohort will be sent to all

TCU's Presidents, Chief Academic Officers, and science faculty the week of July 29 by email. Students who are interested in applying to participate should return the application materials to Reno Charette at rcharette@aihec.org as soon as possible or before the soft deadline of July 17. Faculty mentors are also being recruited electronically through materials sent in those identified above.

The ANP commits to building a supportive community of health career and academic professionals for mentoring that is always available and follows the students as they progress on their research career path.

Goals for the next quarter report include the AIHEC Fall Board of Directors meeting, November closing date of the Aseto'ne Virtual Institute, and enhancing the mentoring experience for mentors and mentees.

AIHEC Student Congress (ASC)

The ASC scheduled bi-monthly business conference calls this quarter. The congress has two vacant positions to fill for Great Lakes Representative and Southwest Representative. The ASC held their winter meeting in Washington, D.C. during the AIHEC Legislative Summit on February 3, 2020, in which they reviewed their current initiatives and held some planning for the 2020 L.I.F.E conference. In light of COVID-19, the ASC has been working to hold the 2020 Elections virtually and have postponed their 2020 L.I.F.E Conference and have replaced that with having Summer meet-up webinars with students.

ASC Initiatives

The ASC is continuing their work on the initiatives they've established for this year and their goal is to complete them by June 2020 and have the new ASC continue their efforts. The initiatives are:

The 2019-2020 ASC are developing and working on the following initiatives:

- 1) Get out the vote (GOTV), which is aimed at increasing voter turnout and providing information and educating TCU students on the upcoming election.
- 2) Environment Sustainability; The ASC's goal is to educate TCU students on how the changes we make, can help the environment. The ASC is focused on working on banning all Styrofoam products from all TCU campuses; they plan to offer more education to the TCUs by explaining what it means, how important it is, and ways to get started in the removal process.
- 3) TCU Communication- A student newsletter to showcase what students and student groups are doing on their campus to inspire other students to do the same on their campuses. The newsletter would spread the news about the great ventures fellow TCUs are implementing;

LIFE Conference Planning/Summer Meet-up Webinars

The 2020 AIHEC Student LIFE Conference has been canceled. In its place, the 2020/2021 AIHEC Student Congress plans to partner with the American Indian College Fund student ambassadors to advertise and host online "meet-up" sessions with TCU students. These online events will include speakers, breakout discussion sessions, and offer support to TCU students throughout the summer and during the current pandemic. The planning team will decide what each session will focus on, giving different educational sessions that will benefit each student who attends.

The goals of the online sessions are to 1) create an outlet where students can build strong relationships and network with peers; 2) focus on identifying and pursuing solutions to shared challenges that they are facing during the current pandemic; 3) having speakers that will offer educational tools for growth, leadership, and provide the motivation for students to succeed; and 4) to create a space for TCU students to build on their skill sets to address the opportunities of the student bodies they serve.

LIFE IS SACRED: THE NATION'S TRIBAL COLLEGES & UNIVERSITIES STAND IN SOLIDARITY

JUNE 5, 2020

Naahilii beda'iina' nihil danilj. As Navajo, we say *Black lives matter*.

Diné College and Navajo Technical University

Takomni Hasapa Oyate Wiconi Heca. As Sicangu, Hunkpapa, and Sihasapa Lakota, we say *Black lives matter*.

Sinte Gleska University and Sitting Bull College

Takomni hasapa wiconi hecha. As Dakota, we say *Black lives matter*.

Cankdeska Cikana Community College

Makade-bizaawizijig da-apiitenimidiwag. As Ojibwa, we say *Black lives matter*.

Keweenaw Bay Community College

Taaqsipait lñuggutiñit Nuimanaqtut. As Inupiaq, we say *Black lives matter*.

Iñisaġvik College

Apiitendaagwadoon obimaadiziwiniwaan makadewiiaaseg. As Lac Courte Oreilles Band of Lake Superior

Chippewa, we say *Black lives matter*.

Lac Courte Oreilles Ojibwe College

Leng-e-sot. As Lummi, we say *We take care of ourselves, watch out for ourselves, love and take care of one another*.

Northwest Indian College

Waza ni wina nihunpra ha ni wina wakanchunk. As Hochunk, we say *Life is sacred*.

Nebraska Indian Community College

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As Cree, we say *Black lives matter*.

Stone Child College

Mashii shibisha aru ahgua'ac (Hidatsa). As Hidatsa, Mandan, and Arikara, we say *Black lives matter*.

Nueta Hidatsa Sahnish College

Ha-duakag g s-cuckcu 'o wuḍ si has ha'icu. As Tohono O'odham, we say *Black lives matter*.

Tohono O'odham Community College

Ndaq Dilhi'i bi'idaq da'ilji. As San Carlos Apache, we say *Black lives matter*.

San Carlos Apache College

Takomni hasapa wičhóni hécha (Dakota). Wašiju Sába Waní Ahópa (Nakoda). As Dakota and Nakoda, we say *Black lives matter*.

Fort Peck Community College

Epiitendaagwak obimaadiziwiniwaan Mekadewiziwaad. As Anishinaabe, we say *Black lives matter*.

Leech Lake Tribal College, White Earth Tribal & Community College, and

Fond du Lac Tribal and Community College

Takomni hasapa wiconi hecha. Takomni Hasapa Oyate Wiconi Heca. Mashii shibisha aru ahgua'ac. As

Dakota, Lakota, Hidatsa, Mandan, Arikara, we say *Black lives matter*.

United Tribes Technical College

I n phénnin ínbí wówátsí wá din chā múu (Tewa). As Native artists, writers, and designers from more than 90 Tribal nations learning on the ancestral lands of the Tewa people, we say *Black lives matter*.

Institute of American Indian Arts

Wə́ʔə́táánihʔə́ʔə́təh ʔíinʔikiítóńəh ʔanáátéhch (*Aaniih*). As Aaniih and Nakoda, we say *Black lives matter*.
Aaniih Nakoda College

Kade'aazijig gchipiitendaagoziwag. As Gnoozhekaaning-Anishinaabe, we say *Black lives matter*.
Bay Mills Community College

Apiitendaagoziwoog igo meKdewzhejig. As Saginaw Chippewa Anishinaabe, we say *Black lives are important*.
Saginaw Chippewa Tribal College

Este Ivste vpopoketv hayetv mvrakhv. As Muscogee Creek, we say *Black lives matter*.
College of the Muscogee Nation

Wą̀kšik ho'ina wakaçak šana. As Winnebago, we say *Life is Sacred. (We all share in common, life.)*
Little Priest Tribal College

Baaishtaashiilishiipite Kuun Biilaaxpaakuuk. As Apsáalooke, we say *Black lives matter*.
Little Big Horn College

Apiitendaagoziwag mekadewizijig. As Turtle Mountain Band of Chippewa Indians, we say *Black lives matter*.
Turtle Mountain Community College

The nation's American Indian and Alaska Native Tribal Colleges and Universities (TCUs), which are the American Indian Higher Education Consortium (AIHEC), stand, kneel, pray, and act with our Black brothers and sisters and all who are oppressed and have felt the dehumanizing impact of racism, invisibility and hate. We send our condolences and prayers to the families of Breonna Taylor, Ahmaud Arbery, and George Floyd and all the families whose loved ones are unnamed. We share your fight and your burden. We will not rest until together, we overcome the systemic, generational and unending brutality practiced against people of color under the authority of those who are sworn to serve and protect.

It is a sad truth that sanctioned disrespect and brutality occur daily in communities of color, yet too often go unreported. It has been happening for more than 500 years - since Columbus and his crew sailed across an ocean and captured, enslaved and murdered Indigenous people so that he could claim their land for his queen. Whether today's victims are "merciless Indian savages" - as we are described in the Declaration of Independence (the same document that declares "all men are created equal"), or Breonna Taylor asleep in her bed, Ahmaud Arbery jogging down a street, or George Floyd lying on the ground under a police officer's knee, the root cause is the same: the systemic, generational inability to recognize the humanity of others, brought to this land by the first immigrant-colonizers and enshrined in this nation's founding documents.

Racism runs deep and wide across this land, like blood coursing through veins, beating to a drum - the heartbeat of hatred, living in the very document mayors, governors, generals, mothers, fathers, you and I cite as our national ideal, our collective aspiration: "that all men are created equal."

Yet today's protesters and peacemakers give us hope: they are *redefining that phrase of division and hate* - their actions are a sustained shout from the mountaintop that the people of this nation have the faith and grace to believe that every human being is born with certain rights - that Black lives matter.

As Tribal Colleges, we lift our voices. We commit to taking up the charge issued to us by the Honorable John Lewis, "*It's time to make some good trouble - necessary trouble.*" It is time for all to stand and kneel and raise our fists in unity and equality; to review our own law enforcement training programs and practices (to share or to change), to work to ensure the right - and will - to vote in our marginalized communities, to provide forums for people to come together, talk, and heal; and work toward a new Declaration of Independence and Equality - to do all that is needed to build a just world - a world in which our future generations are able to breathe.

Wazaḡsra honi'ap ra nāc wāgojawi na - The creator blessed us with life (Winnebago).

Wiçoni wakān - Life is Sacred (Lakota).

Naahilii beda'iina' nihit danilij - Black lives matter (Navajo).

THE AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

The nation's 37 American Indian tribally- and federally-chartered institutions of higher education collectively are the American Indian Higher Education Consortium (AIHEC). Established in 1973, AIHEC includes Tribal Colleges and Universities (TCUs) located in 16 states serving students from more than 250 federally recognized Indian tribes and 30 states. TCUs were established to strengthen sovereign Tribal nations by preserving and revitalizing Native languages and cultures and bringing the hope and opportunity of higher education to American Indians, Alaska Native, and other rural community residents who were otherwise excluded from the nation's higher education systems. TCUs provide culturally-centered academic and career/technical certificates and degrees, extended family support systems, community-based education, research and outreach opportunities, and economic development strategies in some of the poorest and most geographically isolated areas of the country.

Carrie L. Billy
President & CEO
American Indian Higher Education Consortium
www.aihec.org

Coronavirus Aid, Relief, and Economic Security Act (CARES Act), P.L. 116-136: Tribal College & University Specific Funding Updated: June 23, 2020

BACKGROUND

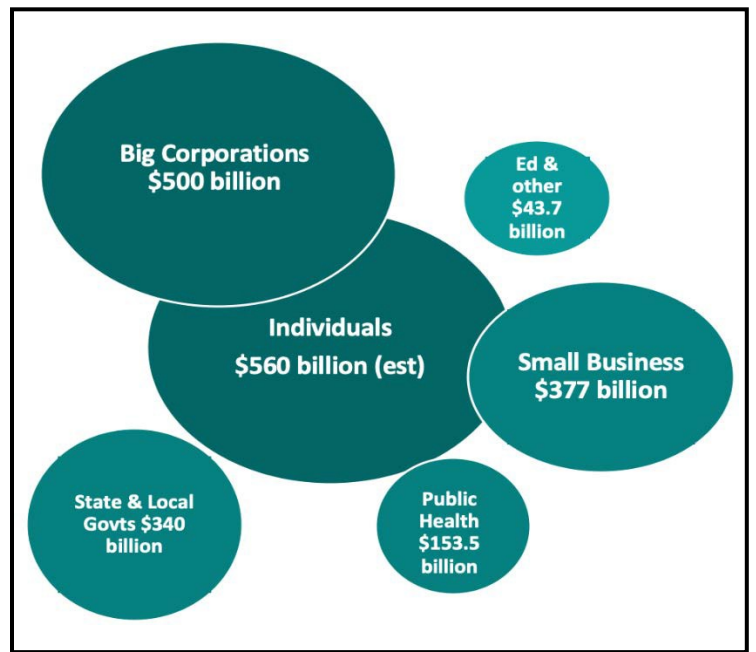
The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) is the third bill Congress has enacted this year in response to the COVID-19 pandemic and its impact on public health, the U.S. economy, small and large businesses, individuals, and state/local governments. A goal of the Act is economic stimulation, but the Act is primarily a “relief” measure. At \$2 trillion, it is the most expensive bill ever enacted.

The Act amends the U.S. Internal Revenue Code along with several other statutes and provides FY2020 supplemental appropriations for federal agencies. These appropriations – which clearly are significant – are designated as “emergency spending” and are exempt from discretionary spending limits. This funding is “in addition to” fiscal year 2019 appropriations and will have no impact on FY2021 spending bills.

Congress drafted and passed the nearly 900-page bill very quickly. No Committee report accompanies the bill. Therefore, it is taking some time for federal departments and agencies to figure out the details of the bill and put in place adequate guidance, oversight, and reporting. Advocacy organizations such as AIHEC are trying our best to assist the departments and agencies in their decision-making processes.

The Congressional summary for the Act notes that the CARES Act:

1. funds various loans, grants, and other forms of assistance for businesses, industries, states, local governments and hospitals;
2. provides tax rebates of up to \$1,200 per individual and an additional \$500 per child, subject to limits based on adjusted gross income;
3. temporarily expands unemployment benefits;
4. suspends payments and interest on federal student loans;
5. modifies a wide range of programs and requirements, including those regarding:
 - o tax treatment of withdrawals from retirement accounts, business income, losses, and charitable contributions;
 - o medical product supplies, Medicare, and Medicaid;
 - o health insurance coverage for COVID-19 testing and vaccinations;
 - o health care and aviation workforces;
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Overall Spending Under CARES Act (est.)

EDUCATION FUNDING UNDER THE CARES ACT

At least \$136.4 million is made available specifically for TCUs under the CARES Act, through the U.S. Department of the Interior-Bureau of Indian Education (BIE) and the U.S. Department of Education-“Education Stabilization Fund.” In addition, TCUs are eligible for certain other funding that is either briefly mentioned or not discussed in this education-specific memo.

The CARES Act allocates the \$136.4 million across four different funds. However, the Department of Education divided one of the four funds into two funds, making a total of five separate funding streams for TCUs. We have given each funding category a name in this document:

1. Interior: BIE-Short-term COVID-19 Response Fund (\$22.9M)
2. Interior: BIE-Higher Education Emergency Relief Fund (share of \$153.75M Indian Education Stabilization Fund)
3. Education: Emergency Student Aid - 50 Percent of 90 Percent Fund (appx \$6.3M for TCUs)
4. Education: Institutional Aid – The Other 50 Percent of 90 Percent Fund (appx \$6.3M for TCUs)
5. Education: TCU Title III Fund (part of the “MSI Fund”) (\$50.46M).

U.S. DEPARTMENT OF THE INTERIOR – BUREAU OF INDIAN EDUCATION

Let’s look at Interior funding first because it is more straightforward than the Education funding. TCUs will receive support from two separate funds, to be administered by the BIE:

- (1) **BIE-Short-term COVID-19 Response Fund**: Title VII of the CARES Act allocates \$69 million to the Bureau of Indian Education *to prevent, prepare for and respond to coronavirus* with “**not less than \$20 million for tribal colleges and universities**”¹.
 - o This funding is available through September 30, 2021.
 - o TCU share: \$22.9 million (plus \$78,000 for IAIA)².
 - o Funding available on April 20, 2020.
- (2) **BIE-Indian Education Stabilization Fund: BIE Higher Education Emergency Relief Fund**: Section 18001(a)(2) of the CARES Act allocates 0.5 percent of the national Education Stabilization Fund to the BIE for an “**Indian Education Stabilization Fund.**” No *specific* guidance is provided for this fund in the Act, except that it is provided for COVID-19 relief for all programs operated or funded by the BIE. However, Congressional authorizing and appropriating staff have stated the intent is that BIE will follow the uses and flexibility guidance established in the Act for other similar funds.
 - o This funding is available for obligation through September 30, 2021.³

¹ The Higher Education Act of 1965 (20 U.S.C. 1059c), section 316 defines “tribal college or university” as an institution that— (A) qualifies for funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a note); or (B) is cited in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note). 35 accredited TCUs are included in this definition: TCUs funded under the Tribally Controlled Colleges and Universities Assistance Act, Titles I (28 TCUs), II (1 TCU), and V (2 TCUs); HINU, SIPI, IAIA, and FdLTCC, which are each named in section 532 of the Equity in Educational Land-Grant Status Act of 1994.

² Due to the \$78,000 provided elsewhere in the Act, IAIA’s share of the \$22.9M is reduced accordingly.

³ To spend out the funding, institutions generally have until September 30 of the fiscal year *following* the year in which the Secretary of Health and Human Services declares a public health emergency *over* or the president declares *an end* to a major disaster or emergency. (So, likely September 30, 2021, but possibly Sept. 30, 2022.)

- TCUs will receive \$30.8 million from this fund. AIHEC requested 33 percent to 46.9 percent, or at least \$52.0 million. BIE and ED hosted listening sessions on Tuesday, April 28 and Thursday, April 30, 2020 to seek input on the distribution of funding between BIE K-12 schools and TCUs. The BIE informed AIHEC on June 19, 2020, that TCUs would receive \$30.8 million from this fund.

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Most of the bill's education spending flows through a mechanism called the "**Education Stabilization Fund**". Established under section 18001 of the Act, the Education Stabilization Fund is appropriated at \$30.75 billion. It is important to learn a little about this Fund because it is from this source – with its various rules, examples, and directives -- that *most* Tribal College and University (TCU) *specific* funding flows. The Education Stabilization Fund (ESF) is divided into four areas:

(1) **National & Administrative Fund** – about 2 percent

- .5 percent (or less) reserved for education programs in the U.S. territories.
- **.5 percent transferred to the Bureau of Indian Education (BIE)** for Indian education programs, including TCUs: \$153.75 million total. As stated above, no specific guidance is provided, therefore, the assumption is that BIE will follow the broad and flexible usage guidelines set forth in the Act for the emergency education relief funds, including the MSI program.
- 1 percent for grants to states particularly hard-hit by COVID-19.
- Small amount for departmental administration.

(2) **Governors' Emergency Education Relief Fund**⁴ – 9.8 percent of the amount left after subtracting the 2 percent (nearly \$3 billion):

- 9.8 percent of the ESF to all states that apply, based on a formula that is 60 percent population ages 5-24 and 40 percent population of children counted under ESEA.
- Governors can fund elementary/secondary schools and *any* institutions of higher education in their state, whether public or private.
- If a governor accepts this funding, the state must sign a maintenance of effort agreement that it will not reduce K-12 or higher education spending below an average made up of the past 3-year average spending for K-12 and the state's higher education spending for FYs 2020 and 2021. (Tuition and capital improvements are excluded from the MOE agreement.)
- ***TCUs and TCU students should consult with their governors and state legislators:*** Governors are encouraged to allocate funding to LEAs and IHE most significantly impacted by COVID-19 (those who need funding to continue providing educational services). Governors can also make emergency grants to students. *TCUs could be included in this funding.*

(3) **Elementary & Secondary School Emergency Relief Fund** – 43.9 percent of the amount left (\$13.229 billion)

- Grants to State Educational Agencies, who then make subawards to Local Educational Agencies. Broad funding uses, related to COVID-19.

(4) **Higher Education Emergency Relief Fund** – 46.9 percent of the amount left (\$13.953 billion)

- Flexibility and discretionary authority are intended, and often specifically provided, in the section.

⁴ TCUs and/or TCU students may be eligible for a share of this funding, depending on state spending decisions. TCUs are urged to contact their governors and state legislators regarding this fund and the inclusion of TCUs and your students, if desired. We have no information at this time on any requirements (reporting or otherwise) a state may impose.

- Institutions receiving funding under this section must retain current employees “to the maximum extent possible.”
- It appears that little reporting will be required related to some portions of this Fund. However, section 18004(e) of the CARES Act gives the Secretary of Education the authority to *require a report of any kind, at any time*. Therefore, we urge TCUs to carefully track any funding awarded under the CARES Act.

This Higher Education Emergency Relief Fund is divided into three sub-funds: (a) The 90 Percent Fund (90 percent); (b) MSI Fund (7.5 percent); and (c) FIPSE Fund (2.5 percent). TCUs can participate in all three sub-funds, but the MSI fund includes the most significant TCU funding.

- (a) **90 Percent Fund** (\$12.558 billion) – *Department-provided funding levels for all TCUs see attachment: 90 percent of the higher education funding will be distributed among each eligible institution of higher education (IHE) in the US, including TCUs, based on a complicated and imaginative formula involving an estimate of the number of credits earned by Pell students (FTE enrollment estimate of Pell students, which is weighted against TCUs and community colleges, unfortunately; and a similar calculation of non-Pell students, which are then compared to estimated national totals; except that *exclusively online students are excluded from the calculation.*)* No grant applications are required to receive funding. The Department of Education (ED) will determine per IHE funding levels based on the formula described above. If any TCU’s formula calculation appears incorrect, AIHEC will work with the Department to seek clarification/correction, if we are notified.

Just to complicate things, this fund (90 Percent Fund) is divided into two sub-funds:

- **(a)(1) Emergency Student Aid - 50 Percent of 90 Percent Fund** (\$6.279B): Half of the funding allocated to each IHE *must* be spent on *direct* Emergency Student Aid. (See below for uses. ED announced availability of funding on April 9, 2020).
Initially, ED did not specify which students were eligible for emergency aid grants. Later, in an attempt to block unauthorized immigrant students from receiving aid, ED announced on April 21 that recipients must be meet the requirements for federal financial aid under Title IV of HEA. After much backlash, On May 21, ED announced that they will not be enforcing previous guidance that required students to be Title IV eligible to receive emergency aid because the guidance lacks “the force and effect of law.” Then, on June 17, ED issues a preview of its Interim final rule regarding emergency student aid grants once again requiring that only Title IV eligible students may receive the funding. However, ED announced that the eligibility requirement will not be retroactively applied.
- **(a)(2) Institutional Aid - the Other 50 Percent of 90 Percent Fund** (\$6.279B): The other half of the 90 Percent Fund allocated to each IHE may be used very broadly, to “defray expenses [related to COVID-19] such as lost revenue” (e.g. emergency student aid already paid, technology purchases, costs of transitioning to distance education). (ED announced availability of funding on April 21, 2020.)

- (b) **MSI Fund** (\$1.046B) (Otherwise known as the HEA-Titles III, V, and VII Fund) – This funding is split among more than 1,000 institutions, with portions going to the general Title III Part A program and each of the various HBCU, TCU and MSI groups/sections. TCUs will receive \$50.46 million. Uses are flexible, and may include institutional operations as well as emergency student aid (Title IV eligible students), at the discretion of the institutions. The TCU funding is distributed based on the formula articulated in section 316 of the Higher Education Act. See below for specific uses, etc. (ED announced availability of funding on April 30, 2020.)

(c) **FIPSE Fund (\$349M)** for grants to IHEs particularly impacted by COVID-19, to be administered through FIPSE. Priority goes to small institutions who received less than \$500,000 under the formula and MSI grants but still have unmet need. Because each TCU received a minimum of \$500,000 under the Title III formula, all TCUs will be just above the “priority” cut. Institutions below the cut are primarily proprietary schools, such as schools of cosmetology. No departmental guidance has been issued regarding this program, but AIHEC continues to point out the inequities TCUs face in funding formulas and strategies. TCUs may be eligible for this funding.

In addition to these education specific provisions, TCUs potentially are eligible for relief through other provisions of the CARES Act, including:

- Department of Treasury’s **\$8 billion “Tribal Government Relief Fund,”** which ostensibly will provide Tribes with resources to continue providing governmental services and salaries to Tribal members and Tribal communities. TCUs interested in this fund should consult with their Tribes and make the Tribal government aware of your funding needs. Applications to this fund likely will be made by Tribes.
- Small Business Administration’s forgivable loan program, the Payroll Protection Program (PPP) or the SBA’s Economic Injury Disaster Loans (EIDL). These funds provide relief for non-profit organizations and business with less than 500 employees and cover operating expenses such as four months of payroll, rent and utilities.

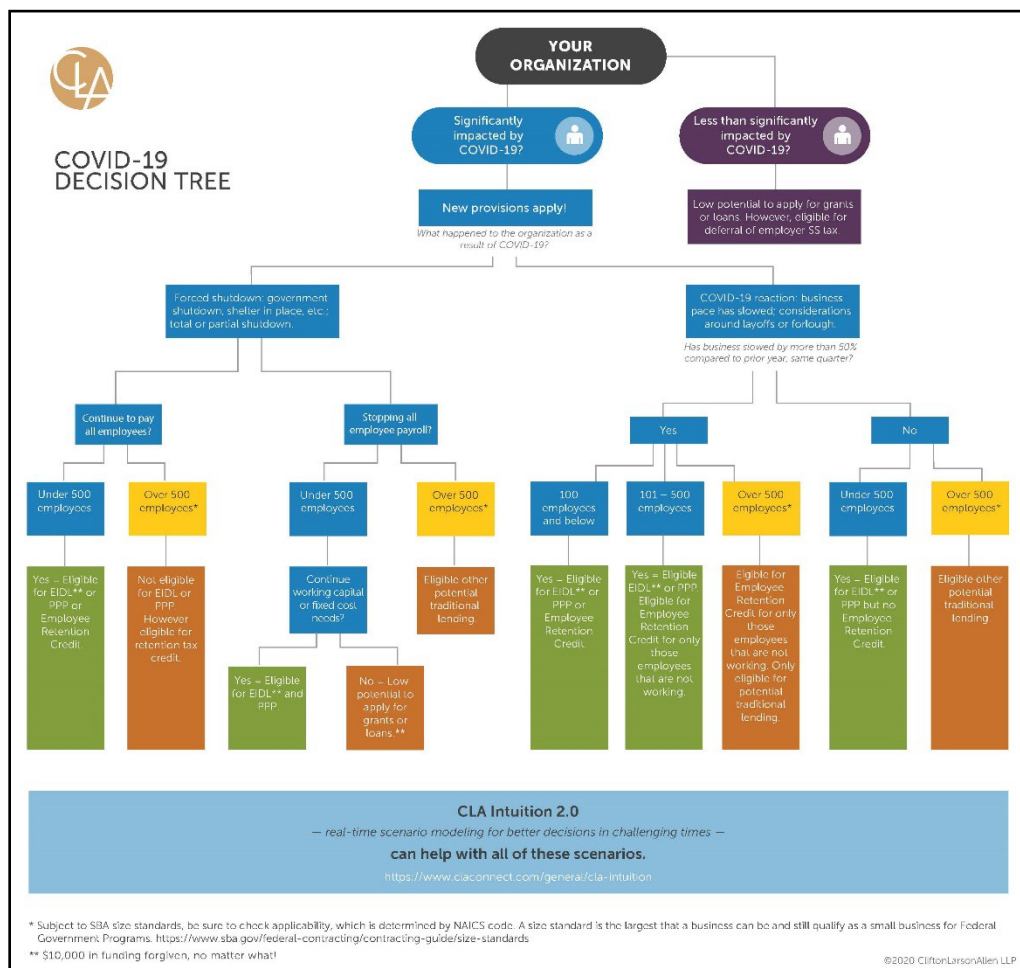


Table of the 4-5 TCU Relief Funds included in the CARES Act. A minimum of \$136.6 million is provided for TCUs under the CARES Act, as follows:

| PROGRAM | OVERALL FUNDING LEVEL | DISTRIBUTION FORMULA & PROCESS | DISTRIBUTION DATE | USES | EXPIRATION: "USE BY" DATE | REPORTING REQUIRED |
|---|---|---|-------------------|---|---------------------------|---|
| U.S. DEPARTMENT OF THE INTERIOR | | | | | | |
| 1. BIE-SHORT-TERM COVID-19 RESPONSE FUND | \$22.9 Million <i>(Appendix A: AIHEC estimated payments)</i> | Tribal College Act, Title I Formula (ISC): TCUs will be required to sign paperwork like current BIE awards. | April 20, 2020 | To prevent, prepare for, and respond to Coronavirus: <ul style="list-style-type: none"> • Lost revenue • Reimbursement for expenses already incurred • Technology costs associated with a transition to distance education • Faculty and staff training • Health and behavioral health issues • Payroll | September 30, 2021 | Annual Report on revenue spent, to be submitted with annual BIE reporting |
| 2. BIE HIGHER EDUCATION EMERGENCY RELIEF FUND | \$30.8 million | HEA, section 316 (TCU Title III formula): 40% equal; 60% ISC: TCUs will be required to sign paperwork like current BIE awards. | July XX, 2020 | <i>Requested Uses (like ED-Title III funding):</i> <ul style="list-style-type: none"> • Lost revenue • Reimbursement for expenses already incurred • IT infrastructure and technology costs associated with a transition to distance education • Faculty and staff training • Behavioral health issues • Payroll • Emergency Student Aid, for any component of the | September 30, 2021 | Annual Report on revenue spent, to be submitted with annual BIE reporting |

| PROGRAM | OVERALL FUNDING LEVEL | DISTRIBUTION FORMULA & PROCESS | DISTRIBUTION DATE | USES | EXPIRATION: "USE BY" DATE | REPORTING REQUIRED |
|---|-----------------------|--|--|---|---|--|
| | | | | students cost of attendance (including food, housing, course materials, technology, health care, transportation, and childcare). <ul style="list-style-type: none"> Capital improvements needed to function, except athletic, sectarian instruction or religious worship facilities Other exceptions: endowments, payments to contractors for pre-enrollment recruitment | | |
| U.S. DEPARTMENT OF EDUCATION FUNDING: 3 FUNDS | | | | | | |
| 3.A. Emergency Student Aid – "50 Percent of 90 Percent Fund" 18004(a)(1) ED-GRANTS-041020-003 | \$6.75M | Estimate of Pell credits earned (FTE enrollment estimate of Pell students) plus similar calculation of non-Pell students, (excludes online only); then compared to national data | April 9, 2020 "Certification of use" form required. | Direct new Emergency Student Aid only. Awards are to be made ONLY for students to use to address <i>expenses related to the disruption of campus operations</i> , including: <ul style="list-style-type: none"> Food Housing Course materials Technology (<i>new technology only – not to pay the college back for a laptop or cell phone already provided</i>) Health care | September 30, 2021: Student awards can be made: <ul style="list-style-type: none"> - Spring 2020 - Summer 2020 - Fall 2020 - Spring 2021 OR: awards can be made all at once. (Spending by end of fall 2020 is desired) | See reporting requirements in Certification Form paragraph (4)(c): Report due at end of first 30 days after agreement is made; every 45 days thereafter on: STUDENT AWARDS: How grants were distributed to students; amount of each award; |

| PROGRAM | OVERALL FUNDING LEVEL | DISTRIBUTION FORMULA & PROCESS | DISTRIBUTION DATE | USES | EXPIRATION: "USE BY" DATE | REPORTING REQUIRED |
|---------|-----------------------|--------------------------------|-------------------|---|---------------------------|--|
| | | | | <ul style="list-style-type: none"> • Childcare • Transportation ○ Must all be allocated as new money to students. ○ May NOT be used to reimburse school for previous aid or refunds. ○ May NOT be used to make awards to students who would then be asked to pay it back to the colleges for expenses the college incurred to convert classes to online instruction, purchase electronic equipment or provide access to technology, or to recover costs refunded to students (for closed dorms, lost meal plans, tuition). ○ Students are not to use the grants for superfluous purchases (TVs, exotic trips, etc.) – Expenses must be tied to COVID-19 disruptions. ○ Grants are not required to be need based, but institutions are encouraged to consider need. | | <p>how the amount of each grant was calculated; and any instructions to students about the grants;</p> <p>EMPLOYEES: Statement TCU has continued to pay all its employees and contractors during the period of any disruptions or closures to the greatest extent practicable; explaining specific actions and decisions related thereto.</p> |

| PROGRAM | OVERALL FUNDING LEVEL | DISTRIBUTION FORMULA & PROCESS | DISTRIBUTION DATE | USES | EXPIRATION: "USE BY" DATE | REPORTING REQUIRED |
|--|--|---|--|--|----------------------------------|---|
| <p>3.B. Institutional Aid - the Other 50 Percent of 90 Percent Fund</p> <p>Sec. 18004(a)(1) ED-GRANTS-042120-004</p> | \$6.75M | Estimate of Pell credits earned (FTE enrollment estimate of Pell students) plus similar calculation of non-Pell students, (excludes online only); then compared to national data. | <p>April 21, 2020</p> <p>"Certification of use" form required.</p> | <p><i>Very broad and liberal uses to "defray costs" associated with COVID-19.</i></p> <p>Can be used to recoup some costs already expended, including previously awarded emergency student aid.</p> <p>Additional uses: lost revenue; technology; payroll; costs of transitioning to distance education); student aid</p> | September 30, 2021 (potentially) | Unknown, probably similar to 3.B. |
| <p>4. MSI Fund – TCU Title III Fund</p> <p>Sec 18004(a)(2) ED-GRANTS-043020-002</p> | <p>\$50.469M</p> <p>(Appendix C: AIHEC estimated payments)</p> | <p>HEA, section 316 (TCU Title III formula): 40% equal; 60% ISC</p> <p>No grant proposal required – probably an application form. Very streamlined.</p> | April 30, 2020 | <ul style="list-style-type: none"> • Lost revenue • Reimbursement for expenses already incurred • IT infrastructure and technology costs associated with a transition to distance education • Faculty and staff training • Behavioral health issues • Payroll • <i>May use for Emergency Student Aid (Title IV eligible), for any component of the students cost of attendance (including food, housing, course materials, technology, health care, transportation, and childcare).</i> | September 30, 2021. | <p>Streamlined annual reports, most likely.</p> <p>Annual workplan may be required.</p> |

| Tribal Colleges and Universities | HEERF- Student Aid | HEERF- Institutional Aid | MSI-TCU Fund |
|--|-------------------------------|---|---------------------|
| Aaniiih Nakoda College | \$57,180 | \$57,179 | \$896,685 |
| Bay Mills Community College | \$111,249 | \$111,248 | \$1,226,472 |
| Blackfeet Community College | \$133,031 | \$133,031 | \$1,366,033 |
| Cankdeska Cikana Community College | \$108,484 | \$108,484 | \$908,657 |
| Chief Dull Knife College | \$51,684 | \$51,684 | \$975,545 |
| College of Menominee Nation | \$87,485 | \$87,485 | \$911,546 |
| College of the Muscogee Nation | \$119,669 | \$119,668 | \$1,150,383 |
| Diné College | \$673,466 | \$673,465 | \$3,587,030 |
| Fond du Lac Tribal and Community College | \$372,416 | \$372,415 | \$944,073 |
| Fort Peck Community College | \$75,747 | \$75,746 | \$1,234,426 |
| Haskell Indian Nations University | \$555,739 | \$555,739 | \$2,729,909 |
| Iłisaḡvik College | \$18,403 | \$18,403 | \$774,501 |
| Institute of American Indian Arts | \$171,260 | \$171,259 | \$1,447,815 |
| Keweenaw Bay Ojibwa Community College | \$34,283 | \$34,283 | \$701,266 |
| Lac Courte Oreilles Ojibwa College | \$15,613 | \$15,613 | \$1,030,880 |
| Leech Lake Tribal College | \$109,902 | \$109,902 | \$921,718 |
| Little Big Horn College | \$130,095 | \$130,094 | \$1,558,703 |
| Little Priest Tribal College | \$72,092 | \$72,092 | \$837,411 |
| Navajo Technical University | \$751,852 | \$751,851 | \$4,112,830 |
| Nebraska Indian Community College | \$38,788 | \$38,788 | \$869,376 |
| Northwest Indian College | \$201,984 | \$201,983 | \$1,941,166 |
| Nueta Hidatsa Sahnish College | \$41,847 | \$41,847 | \$962,233 |
| Oglala Lakota College | \$648,798 | \$648,797 | \$2,974,868 |
| Red Lake Nation College | \$75,737 | \$75,736 | \$801,376 |
| Saginaw Chippewa Tribal College | \$41,956 | \$41,956 | \$754,202 |
| Salish Kootenai College | \$416,262 | \$416,262 | \$2,068,629 |
| Sinte Gleska University | \$192,980 | \$192,979 | \$1,647,092 |
| Sisseton Wahpeton College | \$78,810 | \$78,810 | \$826,829 |
| Sitting Bull College | \$187,524 | \$187,524 | \$1,247,647 |
| Southwestern Indian Polytechnic Institute | \$296,639 | \$296,639 | \$2,185,359 |
| Stone Child College | \$108,399 | \$108,399 | \$1,176,954 |
| Tohono O'odham Community College | \$99,640 | \$99,639 | \$1,281,387 |
| Turtle Mountain Community College | \$473,968 | \$473,968 | \$1,977,739 |
| United Tribes Technical College | \$169,976 | \$169,976 | \$1,634,774 |
| White Earth Tribal and Community College | \$52,600 | \$52,600 | \$803,786 |
| TOTAL | \$6,775,558 | \$6,775,544 | \$50,469,300 |

Coronavirus Aid, Relief, and Economic Security Act (CARES Act), P.L. 116-136: Tribal College & University Specific Funding Updated: June 23, 2020

BACKGROUND

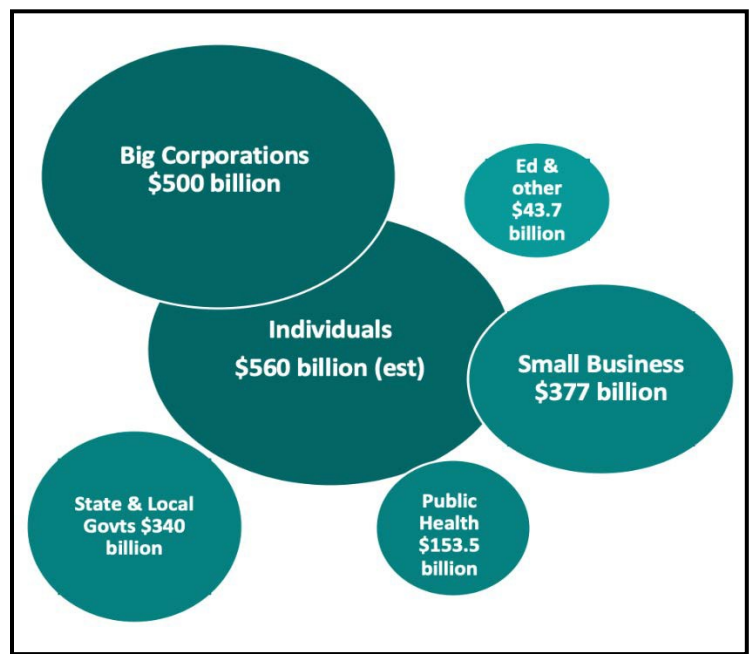
The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) is the third bill Congress has enacted this year in response to the COVID-19 pandemic and its impact on public health, the U.S. economy, small and large businesses, individuals, and state/local governments. A goal of the Act is economic stimulation, but the Act is primarily a “relief” measure. At \$2 trillion, it is the most expensive bill ever enacted.

The Act amends the U.S. Internal Revenue Code along with several other statutes and provides FY2020 supplemental appropriations for federal agencies. These appropriations – which clearly are significant – are designated as “emergency spending” and are exempt from discretionary spending limits. This funding is “in addition to” fiscal year 2019 appropriations and will have no impact on FY2021 spending bills.

Congress drafted and passed the nearly 900-page bill very quickly. No Committee report accompanies the bill. Therefore, it is taking some time for federal departments and agencies to figure out the details of the bill and put in place adequate guidance, oversight, and reporting. Advocacy organizations such as AIHEC are trying our best to assist the departments and agencies in their decision-making processes.

The Congressional summary for the Act notes that the CARES Act:

1. funds various loans, grants, and other forms of assistance for businesses, industries, states, local governments and hospitals;
2. provides tax rebates of up to \$1,200 per individual and an additional \$500 per child, subject to limits based on adjusted gross income;
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- Small amount for departmental administration.

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- 9.8 percent of the ESF to all states that apply, based on a formula that is 60 percent population ages 5-24 and 40 percent population of children counted under ESEA.
- Governors can fund elementary/secondary schools and *any* institutions of higher education in their state, whether public or private.
- If a governor accepts this funding, the state must sign a maintenance of effort agreement that it will not reduce K-12 or higher education spending below an average made up of the past 3-year average spending for K-12 and the state's higher education spending for FYs 2020 and 2021. (Tuition and capital improvements are excluded from the MOE agreement.)
- ***TCUs and TCU students should consult with their governors and state legislators:*** Governors are encouraged to allocate funding to LEAs and IHE most significantly impacted by COVID-19 (those who need funding to continue providing educational services). Governors can also make emergency grants to students. *TCUs could be included in this funding.*

(3) **Elementary & Secondary School Emergency Relief Fund** – 43.9 percent of the amount left (\$13.229 billion)

- Grants to State Educational Agencies, who then make subawards to Local Educational Agencies. Broad funding uses, related to COVID-19.

(4) **Higher Education Emergency Relief Fund** – 46.9 percent of the amount left (\$13.953 billion)

- Flexibility and discretionary authority are intended, and often specifically provided, in the section.

⁴ TCUs and/or TCU students may be eligible for a share of this funding, depending on state spending decisions. TCUs are urged to contact their governors and state legislators regarding this fund and the inclusion of TCUs and your students, if desired. We have no information at this time on any requirements (reporting or otherwise) a state may impose.

- Institutions receiving funding under this section must retain current employees “to the maximum extent possible.”
- It appears that little reporting will be required related to some portions of this Fund. However, section 18004(e) of the CARES Act gives the Secretary of Education the authority to *require a report of any kind, at any time*. Therefore, we urge TCUs to carefully track any funding awarded under the CARES Act.

This Higher Education Emergency Relief Fund is divided into three sub-funds: (a) The 90 Percent Fund (90 percent); (b) MSI Fund (7.5 percent); and (c) FIPSE Fund (2.5 percent). TCUs can participate in all three sub-funds, but the MSI fund includes the most significant TCU funding.

- (a) **90 Percent Fund** (\$12.558 billion) – *Department-provided funding levels for all TCUs see attachment: 90 percent of the higher education funding will be distributed among each eligible institution of higher education (IHE) in the US, including TCUs, based on a complicated and imaginative formula involving an estimate of the number of credits earned by Pell students (FTE enrollment estimate of Pell students, which is weighted against TCUs and community colleges, unfortunately; and a similar calculation of non-Pell students, which are then compared to estimated national totals; except that *exclusively online students are excluded from the calculation*.)* No grant applications are required to receive funding. The Department of Education (ED) will determine per IHE funding levels based on the formula described above. If any TCU’s formula calculation appears incorrect, AIHEC will work with the Department to seek clarification/correction, if we are notified.

Just to complicate things, this fund (90 Percent Fund) is divided into two sub-funds:

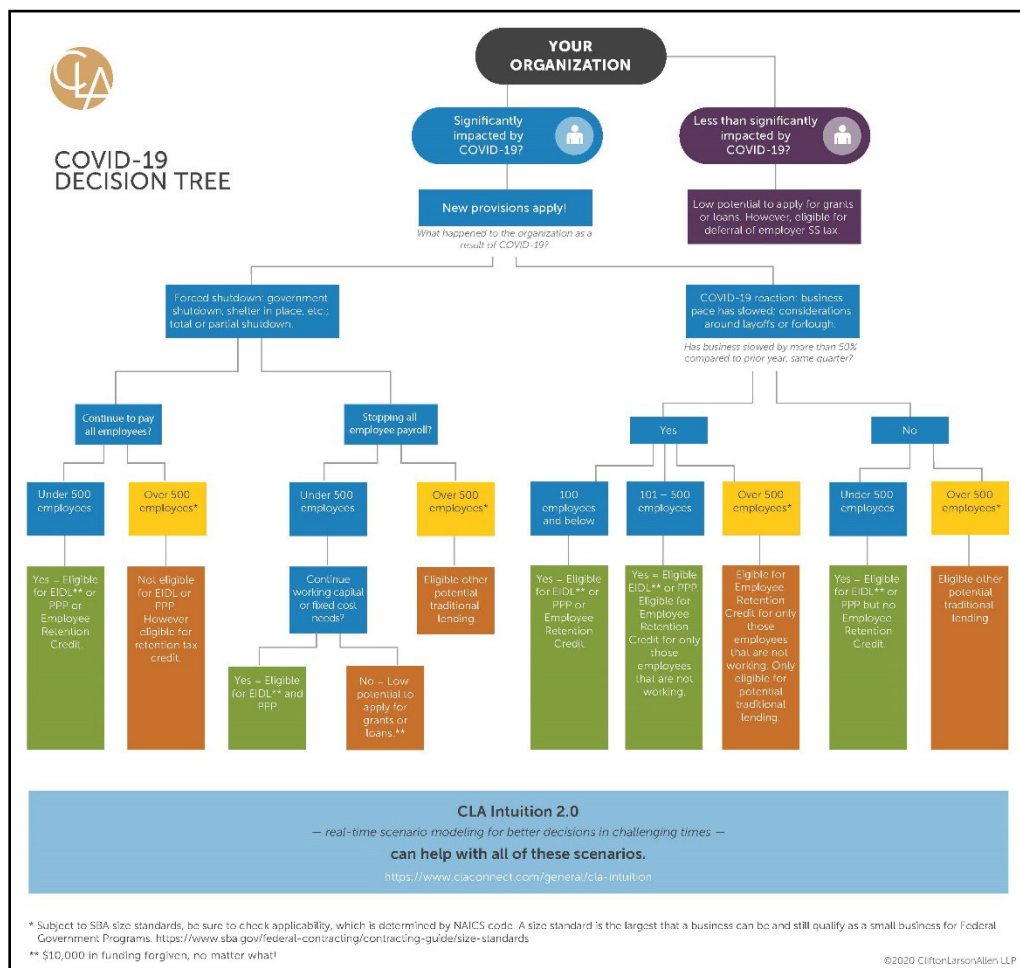
- **(a)(1) Emergency Student Aid - 50 Percent of 90 Percent Fund** (\$6.279B): Half of the funding allocated to each IHE *must* be spent on *direct* Emergency Student Aid. (See below for uses. ED announced availability of funding on April 9, 2020).
Initially, ED did not specify which students were eligible for emergency aid grants. Later, in an attempt to block unauthorized immigrant students from receiving aid, ED announced on April 21 that recipients must meet the requirements for federal financial aid under Title IV of HEA. After much backlash, On May 21, ED announced that they will not be enforcing previous guidance that required students to be Title IV eligible to receive emergency aid because the guidance lacks “the force and effect of law.” Then, on June 17, ED issues a preview of its Interim final rule regarding emergency student aid grants once again requiring that only Title IV eligible students may receive the funding. However, ED announced that the eligibility requirement will not be retroactively applied.
- **(a)(2) Institutional Aid - the Other 50 Percent of 90 Percent Fund** (\$6.279B): The other half of the 90 Percent Fund allocated to each IHE may be used very broadly, to “defray expenses [related to COVID-19] such as lost revenue” (e.g. emergency student aid already paid, technology purchases, costs of transitioning to distance education). (ED announced availability of funding on April 21, 2020.)

- (b) **MSI Fund** (\$1.046B) (Otherwise known as the HEA-Titles III, V, and VII Fund) – This funding is split among more than 1,000 institutions, with portions going to the general Title III Part A program and each of the various HBCU, TCU and MSI groups/sections. TCUs will receive \$50.46 million. Uses are flexible, and may include institutional operations as well as emergency student aid (Title IV eligible students), at the discretion of the institutions. The TCU funding is distributed based on the formula articulated in section 316 of the Higher Education Act. See below for specific uses, etc. (ED announced availability of funding on April 30, 2020.)

(c) **FIPSE Fund (\$349M)** for grants to IHEs particularly impacted by COVID-19, to be administered through FIPSE. Priority goes to small institutions who received less than \$500,000 under the formula and MSI grants but still have unmet need. Because each TCU received a minimum of \$500,000 under the Title III formula, all TCUs will be just above the “priority” cut. Institutions below the cut are primarily proprietary schools, such as schools of cosmetology. No departmental guidance has been issued regarding this program, but AIHEC continues to point out the inequities TCUs face in funding formulas and strategies. TCUs may be eligible for this funding.

In addition to these education specific provisions, TCUs potentially are eligible for relief through other provisions of the CARES Act, including:

- Department of Treasury’s **\$8 billion “Tribal Government Relief Fund,”** which ostensibly will provide Tribes with resources to continue providing governmental services and salaries to Tribal members and Tribal communities. TCUs interested in this fund should consult with their Tribes and make the Tribal government aware of your funding needs. Applications to this fund likely will be made by Tribes.
- Small Business Administration’s forgivable loan program, the Payroll Protection Program (PPP) or the SBA’s Economic Injury Disaster Loans (EIDL). These funds provide relief for non-profit organizations and business with less than 500 employees and cover operating expenses such as four months of payroll, rent and utilities.



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 can help with all of these scenarios.
<https://www.clacomm.com/general/cla-intuition>

* Subject to SBA size standards, be sure to check applicability, which is determined by NAICS code. A size standard is the largest that a business can be and still qualify as a small business for Federal Government Programs. <https://www.sba.gov/federal-contracting/contracting-guide/size-standards>
 ** \$10,000 in funding forgiven, no matter what!

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Table of the 4-5 TCU Relief Funds included in the CARES Act. A minimum of \$136.6 million is provided for TCUs under the CARES Act, as follows:

| PROGRAM | OVERALL FUNDING LEVEL | DISTRIBUTION FORMULA & PROCESS | DISTRIBUTION DATE | USES | EXPIRATION: "USE BY" DATE | REPORTING REQUIRED |
|---|---|---|-------------------|---|---------------------------|---|
| U.S. DEPARTMENT OF THE INTERIOR | | | | | | |
| 1. BIE-SHORT-TERM COVID-19 RESPONSE FUND | \$22.9 Million <i>(Appendix A: AIHEC estimated payments)</i> | Tribal College Act, Title I Formula (ISC): TCUs will be required to sign paperwork like current BIE awards. | April 20, 2020 | To prevent, prepare for, and respond to Coronavirus: <ul style="list-style-type: none"> • Lost revenue • Reimbursement for expenses already incurred • Technology costs associated with a transition to distance education • Faculty and staff training • Health and behavioral health issues • Payroll | September 30, 2021 | Annual Report on revenue spent, to be submitted with annual BIE reporting |
| 2. BIE HIGHER EDUCATION EMERGENCY RELIEF FUND | \$30.8 million | HEA, section 316 (TCU Title III formula): 40% equal; 60% ISC: TCUs will be required to sign paperwork like current BIE awards. | July XX, 2020 | <i>Requested Uses (like ED-Title III funding):</i> <ul style="list-style-type: none"> • Lost revenue • Reimbursement for expenses already incurred • IT infrastructure and technology costs associated with a transition to distance education • Faculty and staff training • Behavioral health issues • Payroll • Emergency Student Aid, for any component of the | September 30, 2021 | Annual Report on revenue spent, to be submitted with annual BIE reporting |

| PROGRAM | OVERALL FUNDING LEVEL | DISTRIBUTION FORMULA & PROCESS | DISTRIBUTION DATE | USES | EXPIRATION: "USE BY" DATE | REPORTING REQUIRED |
|---|-----------------------|--|--|---|---|--|
| | | | | students cost of attendance (including food, housing, course materials, technology, health care, transportation, and childcare. <ul style="list-style-type: none"> • Capital improvements needed to function, except athletic, sectarian instruction or religious worship facilities • Other exceptions: endowments, payments to contractors for pre-enrollment recruitment | | |
| U.S. DEPARTMENT OF EDUCATION FUNDING: 3 FUNDS | | | | | | |
| 3.A. Emergency Student Aid – "50 Percent of 90 Percent Fund" 18004(a)(1) ED-GRANTS-041020-003 | \$6.75M | Estimate of Pell credits earned (FTE enrollment estimate of Pell students) plus similar calculation of non-Pell students, (excludes online only); then compared to national data | April 9, 2020 "Certification of use" form required. | Direct new Emergency Student Aid only. Awards are to be made ONLY for students to use to address <i>expenses related to the disruption of campus operations</i> , including: <ul style="list-style-type: none"> • Food • Housing • Course materials • Technology (<i>new technology only – not to pay the college back for a laptop or cell phone already provided</i>) • Health care | September 30, 2021: Student awards can be made: <ul style="list-style-type: none"> - Spring 2020 - Summer 2020 - Fall 2020 - Spring 2021 OR: awards can be made all at once. (Spending by end of fall 2020 is desired) | See reporting requirements in Certification Form paragraph (4)(c): Report due at end of first 30 days after agreement is made; every 45 days thereafter on: STUDENT AWARDS: How grants were distributed to students; amount of each award; |

| PROGRAM | OVERALL FUNDING LEVEL | DISTRIBUTION FORMULA & PROCESS | DISTRIBUTION DATE | USES | EXPIRATION: "USE BY" DATE | REPORTING REQUIRED |
|---------|-----------------------|--------------------------------|-------------------|---|---------------------------|--|
| | | | | <ul style="list-style-type: none"> • Childcare • Transportation ○ Must all be allocated as new money to students. ○ May NOT be used to reimburse school for previous aid or refunds. ○ May NOT be used to make awards to students who would then be asked to pay it back to the colleges for expenses the college incurred to convert classes to online instruction, purchase electronic equipment or provide access to technology, or to recover costs refunded to students (for closed dorms, lost meal plans, tuition). ○ Students are not to use the grants for superfluous purchases (TVs, exotic trips, etc.) – Expenses must be tied to COVID-19 disruptions. ○ Grants are not required to be need based, but institutions are encouraged to consider need. | | <p>how the amount of each grant was calculated; and any instructions to students about the grants;</p> <p>EMPLOYEES: Statement TCU has continued to pay all its employees and contractors during the period of any disruptions or closures to the greatest extent practicable; explaining specific actions and decisions related thereto.</p> |

| PROGRAM | OVERALL FUNDING LEVEL | DISTRIBUTION FORMULA & PROCESS | DISTRIBUTION DATE | USES | EXPIRATION: "USE BY" DATE | REPORTING REQUIRED |
|--|--|---|--|--|----------------------------------|---|
| <p>3.B. Institutional Aid - the Other 50 Percent of 90 Percent Fund</p> <p>Sec. 18004(a)(1) ED-GRANTS-042120-004</p> | \$6.75M | Estimate of Pell credits earned (FTE enrollment estimate of Pell students) plus similar calculation of non-Pell students, (excludes online only); then compared to national data. | <p>April 21, 2020</p> <p>"Certification of use" form required.</p> | <p><i>Very broad and liberal uses to "defray costs" associated with COVID-19.</i></p> <p>Can be used to recoup some costs already expended, including previously awarded emergency student aid.</p> <p>Additional uses: lost revenue; technology; payroll; costs of transitioning to distance education); student aid</p> | September 30, 2021 (potentially) | Unknown, probably similar to 3.B. |
| <p>4. MSI Fund – TCU Title III Fund</p> <p>Sec 18004(a)(2) ED-GRANTS-043020-002</p> | <p>\$50.469M</p> <p>(Appendix C: AIHEC estimated payments)</p> | <p>HEA, section 316 (TCU Title III formula): 40% equal; 60% ISC</p> <p>No grant proposal required – probably an application form. Very streamlined.</p> | April 30, 2020 | <ul style="list-style-type: none"> • Lost revenue • Reimbursement for expenses already incurred • IT infrastructure and technology costs associated with a transition to distance education • Faculty and staff training • Behavioral health issues • Payroll • <i>May use for Emergency Student Aid (Title IV eligible), for any component of the students cost of attendance (including food, housing, course materials, technology, health care, transportation, and childcare).</i> | September 30, 2021. | <p>Streamlined annual reports, most likely.</p> <p>Annual workplan may be required.</p> |

| Tribal Colleges and Universities | HEERF- Student Aid | HEERF- Institutional Aid | MSI-TCU Fund |
|--|-------------------------------|---|---------------------|
| Aaniiih Nakoda College | \$57,180 | \$57,179 | \$896,685 |
| Bay Mills Community College | \$111,249 | \$111,248 | \$1,226,472 |
| Blackfeet Community College | \$133,031 | \$133,031 | \$1,366,033 |
| Cankdeska Cikana Community College | \$108,484 | \$108,484 | \$908,657 |
| Chief Dull Knife College | \$51,684 | \$51,684 | \$975,545 |
| College of Menominee Nation | \$87,485 | \$87,485 | \$911,546 |
| College of the Muscogee Nation | \$119,669 | \$119,668 | \$1,150,383 |
| Diné College | \$673,466 | \$673,465 | \$3,587,030 |
| Fond du Lac Tribal and Community College | \$372,416 | \$372,415 | \$944,073 |
| Fort Peck Community College | \$75,747 | \$75,746 | \$1,234,426 |
| Haskell Indian Nations University | \$555,739 | \$555,739 | \$2,729,909 |
| Iłisaḡvik College | \$18,403 | \$18,403 | \$774,501 |
| Institute of American Indian Arts | \$171,260 | \$171,259 | \$1,447,815 |
| Keweenaw Bay Ojibwa Community College | \$34,283 | \$34,283 | \$701,266 |
| Lac Courte Oreilles Ojibwa College | \$15,613 | \$15,613 | \$1,030,880 |
| Leech Lake Tribal College | \$109,902 | \$109,902 | \$921,718 |
| Little Big Horn College | \$130,095 | \$130,094 | \$1,558,703 |
| Little Priest Tribal College | \$72,092 | \$72,092 | \$837,411 |
| Navajo Technical University | \$751,852 | \$751,851 | \$4,112,830 |
| Nebraska Indian Community College | \$38,788 | \$38,788 | \$869,376 |
| Northwest Indian College | \$201,984 | \$201,983 | \$1,941,166 |
| Nueta Hidatsa Sahnish College | \$41,847 | \$41,847 | \$962,233 |
| Oglala Lakota College | \$648,798 | \$648,797 | \$2,974,868 |
| Red Lake Nation College | \$75,737 | \$75,736 | \$801,376 |
| Saginaw Chippewa Tribal College | \$41,956 | \$41,956 | \$754,202 |
| Salish Kootenai College | \$416,262 | \$416,262 | \$2,068,629 |
| Sinte Gleska University | \$192,980 | \$192,979 | \$1,647,092 |
| Sisseton Wahpeton College | \$78,810 | \$78,810 | \$826,829 |
| Sitting Bull College | \$187,524 | \$187,524 | \$1,247,647 |
| Southwestern Indian Polytechnic Institute | \$296,639 | \$296,639 | \$2,185,359 |
| Stone Child College | \$108,399 | \$108,399 | \$1,176,954 |
| Tohono O'odham Community College | \$99,640 | \$99,639 | \$1,281,387 |
| Turtle Mountain Community College | \$473,968 | \$473,968 | \$1,977,739 |
| United Tribes Technical College | \$169,976 | \$169,976 | \$1,634,774 |
| White Earth Tribal and Community College | \$52,600 | \$52,600 | \$803,786 |
| TOTAL | \$6,775,558 | \$6,775,544 | \$50,469,300 |



March 18, 2020

The Honorable Nita Lowey
Chairwoman
House Committee on Appropriations
H-307 The Capitol
Washington, DC 20515

The Honorable Kay Granger
Ranking Member
House Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515

The Honorable Bobby Scott
Chairman
House Committee on Education and Labor
2176 Rayburn House Office Building
Washington, DC 20515

The Honorable Virginia Foxx
Ranking Member
House Committee on Education and Labor
2101 Rayburn House Office Building
Washington, DC 20515

Dear Chairwoman Lowey, Ranking Member Granger, Chairman Scott, and Ranking Member Foxx:

We, the undersigned organizations, represent a collective group of institutions of higher education (IHEs) that are eligible to receive financial assistance under Titles III and V of the *Higher Education Act of 1965* (HEA). To allow our institutions to properly provide the needed services for their students, faculty, and staff in response to the virus named “SARS-CoV-2” causing a disease named “coronavirus disease 2019” (COVID-19)¹, we respectfully request that Congress set aside no less than \$1.5 billion specifically for the following institutions: Historically Black Colleges and Universities (HBCUs); Tribal Colleges and Universities (TCUs); Hispanic-Serving Institutions (HSIs); Predominantly Black Institutions (PBIs); Alaska Native-Serving Institutions and Native Hawaiian-Serving Institutions (ANNH); Native American-Serving, Nontribal Institutions (NASNTIs); and Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs).

To be eligible to receive assistance under Titles III and Title V, institutions, with the exception of HBCUs and TCUs, must serve a percentage of students that meet a certain minority demographic, meet the requirements of a formula encompassing the percentage of students receiving need-based

¹ U.S. Health and Human Services, Centers for Disease Control and Prevention. (2020). *Coronavirus Disease 2019 (COVID 19)*. Retrieved from <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/summary.html>

aid, including Pell grants, and have a lower average amount of educational and general expenditures in comparison to like institutions.² Together, we serve over 6 million students nationwide and represent over 50% of all IHEs in the United States.³

Like all sectors of our society, the higher education system has been drastically impacted by COVID-19. There have been announcements of IHEs moving classes online, extending spring break, changing their grading systems to pass/fail, adapting their campuses to permit students to shelter in place, and simply shutting their doors all together while working to protect the health and safety of their students. While COVID-19 is having an obvious impact on all IHEs, the effect of this virus impacts our institutions to a much greater degree because our IHEs are under-resourced, often do not have the infrastructure to allow for distance education, and have historically lacked the requisite funding to address the inequities in the higher education system.

Our institutions are having to adapt quickly to many students not being on campus; providing quality academic programming through distance education; providing the professional development of faculty and staff to operate and teach in an online environment; and the potential loss of enrollment due to present circumstances. Also, because the vast majority of our students are low-income, first-generation college students, they are challenged with gaining access to the proper technology and equipment in their homes, assuming they are able to return to a place they call home, to successfully complete online work. While institutions with larger endowments and access to greater resources may find this period of time more manageable and are able to exercise greater flexibility, our institutions face the reality of wanting to allow for a seamless transition for faculty, staff, and students but unable to effectively achieve this due to the lack of available funding to support such a transition.

Again, it is our request that Congress set aside no less than \$1.5 billion specifically for institutions eligible to receive funding under Titles III and V to allow these institutions to properly provide the needed services for their faculty, staff, and students in response to COVID-19. We also request that Congress grant the Secretary of Education the flexibility to temporarily modify Titles III, V, and VII to allow for institutions to use current grant awards for emergency needs and provide the requested funding amount of no less than \$1.5 billion through current funding structures in Titles III, V, and VII.⁴ Doing so would not require the creation of a new grant program leading institutions to submit separate applications as this would only decrease the speediness of providing these urgent resources to address their immediate needs. In addition, we ask that Congress direct the Secretary to provide flexibilities to our institutions when complying with their program participation agreements in Title IV of the HEA and provide the necessary and needed relief to students regarding their financial aid in Title IV to reduce their financial burdens given this unforeseen circumstance.

We thank you for your favorable consideration of this request.

² Both HBCUs and TCUs are statutorily defined in the law and are not subject to the loss of financial assistance in Title III of the HEA.

³ The 2020 list of all minority-serving institutions (MSIs) from the Rutgers Center for Minority Serving Institutions shows that there is a total of 3,870 in the United States compared to a total of 7,021 Title IV institutions as identified by the National Center for Education Statistics.

⁴ For the purposes of this letter, Title VII of the HEA is in regard to programs in Part A, Subpart 4.

Sincerely,



Michael L. Lomax
President and CEO
UNCF



Harry L. Williams
President and CEO
TMCF



Lezli Baskerville
President and CEO
NAFEO



Antonio R. Flores
President and CEO
HACU



Carrie L. Billy
President and CEO
AIHEC



Rita Pin Ahrens
Executive Director
OCA-Asian Pacific American Advocates

Cc:
The Honorable Rosa DeLauro
Chairwoman
Subcommittee on Labor-HHS (House Committee on Appropriations)

The Honorable Tom Cole
Ranking Member
Subcommittee on Labor-HHS (House Committee on Appropriations)

March 20, 2020

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
S-230 U.S. Capitol Building
Washington, DC 20510

The Honorable Charles Schumer
Minority Leader
U.S. Senate
S-221 U.S. Capitol Building
Washington, DC 20510

Dear Majority Leader McConnell and Minority Leader McCarthy:

This letter is on behalf of the undersigned American Indian and Alaska Native organizations, which collectively serve all 574 federally-recognized American Indian and Alaska Native tribal nations. The recommendations outlined in this letter encompass critical funding and policy needs to help protect and prepare American Indian and Alaska Native communities to effectively respond to the current 2019 novel coronavirus (COVID-19) pandemic.

As the urgency, infection rate, and death toll of the COVID-19 pandemic intensifies, it has become increasingly clear that Indian Country needs significantly more resources to protect and preserve human life and address the grave economic impacts tribal nations face, as they close government operations and tribal enterprises to protect the health of their citizens and surrounding communities. American Indian and Alaska Native communities are disproportionately impacted by the health conditions that the Centers for Disease Control and Prevention (CDC) notes increase risk for a more serious COVID-19 illness, including respiratory illnesses, diabetes, and other health conditions. We urge you to include the following requests as you work on any current, and future supplemental package to stem the COVID-19 pandemic. In addition to the specific funding and policy requests outlined below, tribal nations are strongly urging maximum flexibility in the use of new and existing funds to be able to comprehensively address COVID-19 response efforts.

The language included in this letter covers the health, education, and nutritional needs for Indian Country and is organized in the following way:

Health

- Health Section 1: Critical Funding and Access Needs
- Health Section 2: Technical Medicaid/Medicare Fixes
- Health Section 3: Technical Amendments Needed
- Health Section 4: Legislative Fixes and Reauthorizations

Education

Education Section 1: Higher Education

Education Section 2: K-12 Education

Nutrition

Nutrition Section 1: Funding and Access Needs

Thank you for your consideration of the recommendations outlined in this letter. We look forward to working with you to ensure that Indian Country's concerns and priorities are comprehensively addressed, as we respond to the COVID-19 emergency.

Sincerely,

The National Congress of American Indians

The National Indian Health Board

The National Council of Urban Indian Health

The National Indian Education Association

The American Indian Higher Education Consortium

The Self-Governance Communication & Education Tribal Consortium

The USET Sovereignty Protection Fund

The Native Farm Bill Coalition

EDUCATION

Education Section 1: Higher Education

- **Provide \$27 million in the Interior-Bureau of Indian Education account to meet the immediate and critical needs of Tribal College and Universities (TCUs).**

Background: The nation's 37 tribally controlled colleges and universities already have incurred significant costs related to closing and securing campuses, ensuring that students are able to relocate off campus or sheltering in place with safety patrols; and beginning the first phase of online courses. Nearly all TCUs are moving to online instruction and closing their physical campuses, due to tribal or state directives. TCUs face immediate challenges in addressing: (a) Career and Technical Courses, which often cannot be converted to online courses; (b) Professional development and course redesign for faculty; (c) Equipment for online delivery of courses; and (c) Lack of Internet access in students' homes. The best estimate of the immediate and short term (8-10 weeks) costs that TCUs have and will incur is **\$745,520/institution**, for a total of **\$26,838,720**.

- **Authorize TCUs as eligible entities to participate in the E-Rate program.**

Background: Congress should direct the Federal Communications Commission to designate TCUs as eligible entities to participate in the federal E-rate program. This is a low cost, long-term solution to part of the digital divide/homework gap in Indian Country. If TCUs were already part of the E-rate program, the mobile hot spots needed to address the "homework gap" on many reservations already would be in place. The cost is estimated to be \$5-8 million per year. This is a modest request compared to the amount of funding available to the E-rate program. (The current annual funding cap is \$4.15 billion, of which barely half has been spent this year.)

- **Ensure a robust share for TCUs, Alaska Native and Native Hawaiian Serving Institutions (ANNHSIs), Native American Serving nontribal Institutions (NASnTIs) of the requested \$1.5 billion for the Department of Education-Postsecondary Education (Strengthening Institutions) account.**

Background: Congress must ensure the stability of the institutions of higher education that serve the majority of postsecondary students in Indian Country. Any appropriation for this fund must specifically designate the eligible institutions and should provide flexibility to allow TCUs and others to meet the specific needs of their students, communities, and Tribal nations. For example, TCUs have a range of documented needs. For example, IT infrastructure and training needs of approximately \$46 million have been identified through an NSF-funded assessment of TCU cyberinfrastructure (needs, capacity, and strategic planning to upgrade). The study revealed that

TCU internet speeds are the slowest of all institutions of higher education in the country, and that, on average, TCUs pay more than other IHEs for internet connectivity. One TCU has the most expensive, and slowest internet speed of all IHEs in the country. TCU equipment refresh rate is 8.3 years, while 3-5 years is standard practice. If TCUs are to deliver high quality online/distance learning to American Indians and Alaska Natives in times of emergency, these gaps must be addressed as rapidly as possible. Further, low income, rural students lack consistent, reliable internet access at home, and many lack the equipment necessary to engage in coursework and homework (tablets, computers, laptops). Even if TCU campuses are fully equipped, without internet access in the community, TCU students will not fully benefit. Identified solutions include mobile hot spots in semi-public places in the community, where TCU students could drive or walk, to get access closer to home, while ensuring social distancing. This funding would allow TCUs to address a range of needs in a sustainable, community of practice manner while ensuring that online teaching and learning modalities and processes are compliant with accreditation directives and that student and employee health and well-being are protected.

- **Provide a TCU-specific set-aside of \$40 million, to be administered by the BIE, if a National Emergency Student Financial Aid Fund is established in the Department of Education account.**

Background: Certain provisions of the *Supporting Students in Response to Coronavirus Act, H.R. 6275 and S. 3489*, may be included in an upcoming emergency spending bill. To ensure that American Indian and Alaska Native students can participate in this competitive program, Congress should set-aside a minimum of \$40 million (of the proposed \$1.2 billion) for a TCU-based program. The history of federal program participation shows that small, under-resourced TCUs are not competitive in pools where they must compete with large state and private institutions. Most TCUs do not even have sponsored programs office or full time grant writers. Yet, we know that emergency aid is critically important to TCU students and that it is extremely effective. In a recent survey of a small emergency aid program for TCUs (\$15,000 per TCU), TCUs students who received small emergency aid grants of \$1,000 or less had a retention rate of more than 90 percent, compared to overall retention rates of 30-40 percent. As TCUs transition to online learning, students need food support, supplies for family members, assistance with bill payment, including internet access and phones. It is essential that a set-aside be established, or our students will see very little of this critically needed support.

FOR IMMEDIATE RELEASE March 26, 2020

Contact: Patrese Atine or Carrie Billy, patine@aihec.org; cbilly@aihec.org

CONGRESS PROVIDES AID TO TRIBAL COLLEGES AND UNIVERSITIES IN COVID-19 RELIEF

Washington, D.C. – The nation’s 37 Tribal Colleges and Universities (TCUs), which collectively are the American Indian Higher Education Consortium (AIHEC), appreciate the urgently needed funding for TCUs contained in the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), which the Senate passed early this morning. While important to address immediate, short-term needs, the funding falls far short of the estimated **\$140 million** TCUs – and their students – need to adequately and *equitably* address the critical postsecondary, workforce development, research, and community-support challenges facing Indian Country as the COVID-19 virus sweeps across this country, in all four directions.

Through the Bureau of Indian Education (BIE), the CARES Act provides \$20 million in immediate, emergency relief to TCUs and an additional share of the \$153 million allocated to the BIE as part of a massive \$30 billion national “Education Stabilization Fund.” For state-based education programs, this funding is split nearly 50-50 between K-12 schools and higher education, and AIHEC expects a similar division by the BIE.

In addition, the CARES Act allocates certain funding under the U.S. Department of Education’s HEA Title III program, of approximately:

- \$50 million for Tribal Colleges and Universities
- \$25 million for Alaska Native and Native Hawaiian-Serving Institutions
- \$6 million for Native American-Serving, Nontribal Institutions.

The bill also provides small pockets of additional funding for which TCUs would be eligible to receive funding or apply to receive funding through the U.S. Departments of Agriculture and Education.

TCUs and TCU students, like all other postsecondary institutions and students in the nation, are faced with tremendous, disruptive change – the need to modify, halt, or extend programming, transition to online learning, and create safe spaces and opportunities to learn at a distance. The road ahead is difficult: TCUs are among the most under-resourced institutions in the country, and TCU students are among the financially poorest. In fact, 78 percent of TCU students receive Pell grants, more than half are first-generation students, and about 85 percent are rural residents from federally recognized Indian tribes. Many lack reliable Internet access at home.

TCUs face another challenge, which distinguishes them from other institutions of higher education: collectively, TCUs have the slowest Internet access, at the highest average cost, of any group of institutions of higher education in the country. The average connectivity speed at TCUs is 336 Mbps, compared to 513 Mbps at other two-year institutions and 3.5 Gbps at other four-year institutions. The average connectivity costs at TCUs range from \$40,000 to \$250,000 per year. Iḷisaḡvik College, a TCU, has both the most expensive and slowest Internet connectivity in the *entire* U.S. higher education system (EDUCAUSE/AIHEC survey, 2018-19).

The 37 TCUs are committed to meeting the urgent and dire logistical and support needs of students and families, but they cannot do it without adequate support at all levels. In the coming weeks and months, AIHEC will continue to work with Congress toward ensuring equity in funding for TCUs and accountability to Indian Country.

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The American Indian Higher Education Consortium (AIHEC) comprises the nation’s 37 Tribal Colleges and Universities (TCUs). TCUs are public institutions of higher education operating more than 75 sites in 16 states and serving approximately 165,000 American Indians, Alaska Natives, and other rural residents each year in academic and community-based programs.

April 30, 2020

The Honorable Betsy DeVos
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

The Honorable David Bernhardt
Secretary of the Interior
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

RE: DOI and ED Joint Listening Session on CARES Act Funding for Indian Education

Dear Secretary DeVos and Secretary Bernhardt:

The American Indian Higher Education Consortium (AIHEC), on behalf of the nation's 37 Tribal Colleges and Universities (TCUs), submit these comments as part of the tribal listening session regarding Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) funding for Indian Education. AIHEC's goal is to ensure that American Indian and Alaska Native (AI/AN) students - K to 16 -- and the TCUs that educate them are supported during the COVID-19 pandemic. AIHEC urges the Departments of Education and the Interior to work together to provide Tribal Colleges and Universities with an equitable share of the Bureau of Indian Education's \$153 million "Education Stabilization Fund." The nation's TCUs face significant challenges as a direct result of historic underfunding, an insufficient IT infrastructure necessary for online/distance learning, and unprecedented costs associated with preparing for and opening campuses in fall 2020. Working together is critical to ensuring Congressionally directed funding is expeditiously provided to TCUs so they can maintain quality, culturally based instruction and learning, now and during the summer, and into the 2020-2021 academic year.

Bureau of Indian Education: Education Stabilization Fund

Under the CARES Act, Congress provided the Secretary of the Interior with one-half of one percent (approximately \$153 million) of the national \$30.75 billion Education Stabilization Fund for "programs operated or funded by the Bureau of Indian Education" (BIE Education Stabilization Fund), in consultation with the Department of Education. Throughout the development of the CARES Act, we worked with Congressional staff to share urgent needs of the TCUs. During these conversations, AIHEC was assured that Congress intended the term "programs operated or funded by the Bureau of Indian Education" to include TCUs and that TCUs would receive funding under this provision.

Bureau of Indian Education: Emergency/Immediate (Short-term) Funding

Additionally, under the CARES Act, Congress provided \$69 million for the "Operation of Indian Programs":

"to prevent, prepare for, and respond to coronavirus, domestically or internationally, including, but not limited to, funding for tribal colleges and universities, salaries, transportation, and information technology: provided, that of the amounts provided in this paragraph, not less than \$20,000,000 shall be for tribal colleges and universities."

Through this provision, TCUs were explicitly provided no less than \$20 million, which the BIE already has distributed to address urgent short-term needs. The remaining amount, \$46 million, is available for BIE operated or funded elementary and secondary schools.

Tribal Colleges and Universities Deserve an Equitable Share of BIE Education Stabilization Fund

As the Departments of Education and the Interior have turned to implementation of the BIE Education Stabilization Fund (\$153 million), we have learned that staff from the Department of Education—Office of Indian Education are recommending that TCUs be excluded “because TCUs got \$20 million in the [CARES] bill.” These staff members fail to acknowledge that at the same time the 35 TCUs received \$22.9 million, BIE elementary and secondary schools received about \$46 million, or double the amount that TCUs received. Further, this funding was provided for urgent and immediate emergency needs. The Education Stabilization Fund, however, is intended to help the nation’s schools, colleges, and universities recover from and adapt to COVID-19 challenges over the next several months.

Recommendations

Equity in Apportionment: Congress intended to assist the *entire* Bureau of Indian Education, including BIE-funded elementary and secondary schools, and Tribal Colleges and Universities – through the BIE Education Stabilization Fund. In fact, the national Education Stabilization Fund – which serves as a model for the small BIE Fund, is divided between an Elementary and Secondary School Emergency Relief Fund (43.9 percent) and a Higher Education Emergency Relief Fund (46.3 percent). The BIE Education Stabilization Fund of \$153 million could be apportioned using a similar method.

Alternatively, the BIE reports that approximately 46,000 individuals are served annually by BIE-funded elementary and secondary schools. The TCUs collectively served 31,767 AI/AN students in academic year 2018-2019ⁱⁱ in academic and career/technical (CTE) programming and another 145,000 AI/ANs in community-based programs. Given these numbers (and using only academic/CTE students for TCUs), the TCU share should be 40.84 percent, and the K-12 share would be 59.15 percent.

To equitably address ongoing TCU COVID-19-related needs and adaptation strategies of both BIE-funded elementary and secondary schools, and TCUs, we recommend that the BIE Education Stabilization Fund be divided using either of the above-recommended formulas. This request is reasonable and justifiable.

Funding Purpose and Use: The funding should be flexible and follow the CARES Act “allowable uses” under the education stabilization fund program. This is clearly the intent of Congress and the message that Secretary DeVos and her post-secondary staff have sent to governors and colleges and universities around the country. Specific to higher education, we recommend the following allowable uses, which are included repeatedly in the CARES Act:

- Funding may be used to defray expenses incurred due to COVID-19 including:
 - lost revenue,
 - reimbursement for expenses already incurred,
 - technology costs associated with a transition to distance education,
 - faculty and staff training,
 - payroll; and
 - grants to students for any component of the students cost of attendance (including food, housing, course materials, technology, health care, childcare and transportation).
- Unallowable Activities: In general, funds under the CARES Act cannot be used for endowments or capital outlays for athletic facilities or facilities for sectarian instruction or religious worship (sec. 18004(c)).
- Worker Salaries: “Any entity receiving funds under the “Education Stabilization Fund” shall, to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus.” (sec. 18006)

- Maintenance of Effort: With regard to Education Stabilization Fund, the Act requires states in FY2020 and 2021 to “maintain support for elementary and secondary education, and higher education (*except for capital projects, research and development, and tuition and fees paid by students*) at the level of such support that is the average of such State’s support for elementary and secondary education and for higher education provided in the three fiscal years preceding the date of enactment of this Act.” (sec. 18008(a)). Given that the BIE is acting as a state under the CARES Act, we recommend that this paragraph apply to the BIE/Department of the Interior with respect to TCUs and BIE operated or funded schools.

Funding Distribution – TCUs

Include All TCUs: We urge the BIE and Department of Education to ensure that all 35 accredited TCUs are included in the distribution of the higher education share of the BIE’s \$153 million Education Stabilization Fund. (Two developing TCUs are not eligible for direct federal funding.) The Higher Education Act of 1965 (20 U.S.C. 1059c), section 316, defines “tribal college or university” to mean an institution that— (A) qualifies for funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a note); or (B) is cited in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note).

This includes TCUs funded under the Tribally Controlled Colleges and Universities Assistance Act, Titles I (28 TCUs), II (1 TCU), and V (2 TCUs); and more broadly, Haskell Indian Nations University (HINU), Southwestern Indian Polytechnic Institute (SIPI), the Institute of American Indian Arts (IAIA), and Fond du Lac Tribal and Community College (which are each named in section 532 of the Equity in Educational Land-Grant Status Act of 1994). In total, 35 accredited TCUs are included in this definition.

Distribution Formula: We recommend that the BIE use the formula contained in section 316 of the Higher Education Act of 1965, [20 USC 1059c\(d\)\(3\)\(B\)](#), which is administered annually by the Department of Education under the TCU Title III program (strengthening institutions). This formula includes a base amount of \$500,000 per TCU:

- 60 percent distributed among the eligible Tribal Colleges and Universities on a pro rata basis, based on the respective Indian student counts (as defined in section 2(a) of the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801(a)) of the Tribal Colleges and Universities.
- The remaining 40 percent shall be distributed in equal shares to the eligible TCUs.
- Each TCU receives a minimum of \$500,000.

This formula is well known to the TCUs, as it has been used for several years to distribute Department of Education funding to the TCU and includes all 35 accredited TCUs.

TCU COVID-19 Needs & Challenges

TCU data indicated an urgent/short-term need of at least \$140 million to support TCUs operations for an estimated 8-10 weeks at the onset of the pandemic. Another \$81 million is needed as TCUs transition to summer sessions and the 2020-2021 academic yearⁱⁱⁱ.

Immediate, Emergency Costs: By mid-March, TCUs already had incurred significant costs related to closing and securing campuses; ensuring that students were able to relocate off campus or shelter in place with safety patrols; and beginning the first phase of online courses. All TCUs have moved to online instruction and closed their physical campuses to the public and most students due to tribal or state directives. TCUs face immediate challenges in addressing: (a) Career and Technical Courses, which often cannot be converted to online courses; (b) Professional development and course redesign for faculty; (c) Equipment for online delivery of courses; and (c) Lack of Internet

access in students' homes. The best estimate of the immediate and short term (8-10 weeks) costs that TCUs have incurred is a minimum of \$745,520/institution, or a total of \$26,838,720.

Student Emergency Aid: TCU student financial needs are difficult to quantify, but we know that pre-COVID-19, 84 percent of all TCU students received Pell benefits. Further, despite TCUs being among the lowest cost institutions of higher education -- average tuition for a 4-year degree is \$4,000 -- federal financial aid and scholarships met only about half of the average TCU student need. For this reason, even in normal times, emergency aid is critically important to TCU students. TCUs also are recognized as being extremely effective in retaining students and helping to ensure that they complete their program of study. In a recent survey of a small emergency aid program for TCUs (\$15,000 per TCU), TCUs students who received small emergency aid grants of \$1,000 or less had a retention rate of more than 90 percent, compared to overall retention rates of 30-40 percent. As TCUs transition to online learning, students need food support, supplies for their families, assistance with bill payment, including internet access and phones. Adequate resources are essential to helping TCU students with critically needed support for academic success during this unprecedented time.

Although we cannot survey TCU students without Institutional Review Board approval, we know anecdotally that TCU students and their families will need additional mental and behavioral health services in the months ahead. According to a March 23 report in [Psychiatric Times](#)^{iv},

"college students uniquely vulnerable to both everyday stressors and severe mental illness, and psychiatric symptoms among college students appear to be on the rise. Stress, anxiety, depression, suicidal ideation, and self-harm all appear to be increasing among this population. Suicide is currently the second most common cause of death in this age range, and the rate of suicide continues to climb...The current public health emergency in response to COVID-19 has disrupted life on many university campuses, and increased anxiety and distress in many college students. There are a litany of reasons that college students may encounter unique challenges, stressors, and barriers to mental health treatment..."

Further, a recent survey by the American Indian College Fund revealed that 1 in 5 students surveyed stated the pandemic and changes related to the pandemic may cause them to drop out of college, as compared to 1 in 10 students surveyed last year.

Institutional and IT Needs: TCU immediate information technology and distance education training needs are estimated at approximately \$46 million, based on a quick analysis of an assessment of TCU cyberinfrastructure (needs, capacity, and strategic planning to upgrade) funded by the National Science Foundation. The study revealed that TCU internet speeds are the slowest of all institutions of higher education in the country and on average, TCUs pay more than other IHEs for internet connectivity. One TCU has the most expensive, and slowest, internet speed of all IHEs in the country. TCU equipment refresh rate is 8.3 years, while 3-5 years is standard practice. If TCUs are to deliver high quality online/distance learning to AI/Ans in times of emergency, these gaps must be addressed as rapidly as possible. Further, low income, rural students lack consistent, reliable internet access at home, and many lack the equipment necessary to engage in coursework and homework (tablets, computers, laptops). Even if TCU campuses are fully equipped, without internet access in the community, TCU students will not fully benefit. Identified solutions include mobile Wi-fi hot spots in semi-public places in the community, where TCU students could drive or walk, to get access closer to home, while ensuring social distancing. Funding is needed to enable TCUs to address a range of needs in a sustainable, community of practice manner while ensuring that online teaching and learning modalities and processes are compliant with accreditation directives and that student and employee health and well-being are protected. Unlike the nation's elementary and secondary schools (including BIE operated and funded schools), TCUs are not eligible to participate in the Universal Service Administrative Company's Schools and Libraries program (commonly known as E-rate), which provides annual, deeply discounted funding for equipment and infrastructure upgrades and Internet access.

Academic Year (AY) 2020-21 Challenges: As the uncertainty, sickness, and economic decline resulting from the COVID-19 pandemic extend into the foreseeable future, the losses facing TCUs are growing. Most TCUs start their fiscal year on July 1. As TCUs plan for FY2021 (AY 2020-21), they face:

- Anticipated **drop in support from chartering Tribal governments** due to loss of casino revenue, tribal enterprise revenue losses, and the need for tribes to divert scarce resources to address critical COVID-19 response issues (e.g. tribal health budget increases, growing tribal member safety net expenses). Tribal TCU payments in 2018-19: \$33,331,078; payments in 2017-18: \$31,049,542.
- Projected **declines in enrollment** as students drop out or fail to return because they lack Internet connectivity and cannot participate in online classes or because they need to increase work hours (if jobs are available) to help support families in economic crisis. Total TCU tuition received: 2018-19: \$23,188,584 (AIHEC AIMS estimate); 2017-18: \$25,503,359 (IPEDS reported).
- Inability of most TCUs to conduct **summer classes**, due to the need for intensive faculty development in online learning, advising, and assessment to maintain regional accreditation and the need to complete extensive course and management redesign for the fall semester because of increased online teaching. Summer tuition and fees: 2018-19: \$1,692,995.
- Growing financial challenges facing students who persist and try to complete their degree programs, resulting in TCUs having to **write off more tuition payments** than in previous years. TCUs – as place-based, open door institutions – write off a significant amount of tuition each year because they want all tribal members to benefit from the opportunity of higher education. Annual TCU tuition write-off: 2018-19: \$4,000,595; 2017-18: \$2,906,650.

Finally, we anticipate regional accrediting bodies for the TCUs (Higher Learning Commission and the Northwestern Commission of Colleges and Universities) will require colleges to strengthen and validate online and distance education programs as we move into AY2020. While temporary approval to offer online courses has helped tremendously, the regional accreditors already are urging TCUs to ensure that systems are in place to ensure the ongoing quality of their new programs, including rigorous measures for engagement and assessment. TCUs – due to the need to be accountable to their Tribal communities -- are committed to taking all steps necessary in this regard.

TCUs are requesting an additional \$81 million in the next COVID-19 relief package to assist with projected revenue losses, the monumental cost of building out IT infrastructures, and ongoing costs associated with the abrupt transition to online/distance education. This additional \$81 million request *assumes* that TCUs will receive at least \$53 million from the BIE Education Stabilization Fund.

Closing

TCUs are creating the workforce our tribes and states need to recover from this pandemic. Currently, with a disproportionately small share of available funding, all TCUs are providing emergency aid to students and families. (Please note that TCUs received the smallest share of the national higher education emergency student aid fund of any group of institutions.) TCUs are serving the entire tribal community in many ways, for example: Navajo Technical University (Crownpoint, NM) is installing towers and wi-fi hot spots on the Navajo reservation so that NTU students, families, K-12 students, and tribal members seeking telemedicine service can access the internet free of charge. Faculty at Bay Mills Community College (Brimley, MI) are using their 3-D printers to make face shields and ventilator parts for local hospitals. Cankdeska Cikana Community College (Fort Totten, ND) is providing breakfast and lunch for nearly 80 Head Start children and their families every day, and the college is partnering with Tribe and local health authorities to provide a site for drive-through COVID-19 testing. Haskell Indian Nations University (Lawrence, KS) has moved all classes online and closed the campus but still has a dorm open for 55 students who have no home to go to. The Institute of American Indian Arts (Santa Fe, NM) is continuing to house about 35 students, and Navajo Technical University is doing the same because some students have nowhere to go. TCUs with nursing, allied health, and teacher preparation programs are developing new, “post-COVID-19” strategies for ensuring that aspiring – and

vitaly needed -- health care providers and teachers can continue to learn in safe environments. Nearly all TCUs are working one-on-one with families to establish home gardens, continuing to provide quality education, training the future Native workforce, and keeping Native people employed and paid during the pandemic. They are offering their services and equipment so BIE and other community stakeholders have access to venues for providing necessary training, and they are partnering with schools and families in their communities to help address challenges K-12 teachers and principals – as well as families -- face in shifting to distance education and home schooling. These are just a few examples of how TCUs are serving their communities at this critical time.

In closing, we strongly urge you to work together to support all of Tribal education and to ensure Tribal Colleges and Universities receive a fair share of the Bureau of Indian Education's \$153 million Education Stabilization Fund.

We greatly appreciate the efforts of both departments in assisting Indian Country at this challenging time. We commend your staff for their tireless work and commitment; and we look forward to working with you both in supporting Tribal Colleges and Universities during this pandemic.

Respectfully,



David E. Yarlott, Jr.
Chair, AIHEC Board of Directors
and President, Little Big Horn College



Carrie L. Billy
AIHEC President & CEO

CC:

Chair Lisa Murkowski, Senate Appropriations on Interior, Environment, and Related Agencies

Chair John Hoeven, Senate Committee on Indian Affairs

Ranking Member Tom Udall, Senate Appropriations on Interior, Environment, and Related Agencies & Vice
Chairman of the Senate Committee on Indian Affairs

Chair Betty McCollum, House Appropriations Subcommittee on Interior, Environment, and Related Agencies

Ranking Member David Joyce, House Appropriations Subcommittee on Interior, Environment, and Related
Agencies

TCU Congressional Delegation

ⁱThe American Indian Higher Education Consortium, a 501(c)(3) organization governed by a board of directors composed of the presidents of the accredited United States-based TCUs, is celebrating 45 years as the collective spirit and unifying voice of our nation's 37 TCUs—a unique community of tribally and federally chartered institutions working to strengthen tribal nations and make a lasting difference in the lives of American Indians and Alaska Natives. For more information visit www.aihec.org.

ⁱⁱAIHEC American Indian Measures of Success (AIHEC AIMS) data, 2019.

ⁱⁱⁱ Tribal Colleges and Universities Urgent Needs for COVID-19 Relief Package #4. http://www.aihec.org/what-we-do/docs/FY21/1_TCU%20Phase%204%20Urgent%20COVID%20Response%20Needs_April%2012%202020.pdf

^{iv}See: <https://www.psychiatrictimes.com/coronavirus/universities-response-supporting-mental-health-college-students-during-covid-19-pandemic>.

March 31, 2020

The Honorable Betsy DeVos
Secretary
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

The Honorable David Bernhardt
Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

The Honorable Alex Azar
Secretary
U.S. Department of Health and
Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary DeVos, Secretary Bernhardt, and Secretary Azar:

On behalf of the undersigned American Indian and Alaska Native (AI/AN) organizations, we write to urge you to swiftly issue guidance on the manner in which tribal nations, tribal entities, and schools that serve AI/AN students will access funding to implement relevant education and workforce development provisions of H.R. 748, the Coronavirus Aid, Relief, and Economic Security Act (the Act). Further, we urge you to ensure that funding under the Act is released quickly across all of your departments.

As you know, the United States government has federal trust responsibilities and treaty obligations to AI/AN tribal nations. These responsibilities are articulated in more than 350 treaties signed over nearly a century, the United States Constitution, federal statutes and regulations, Supreme Court case law, and presidential executive orders. It is critical that the federal government honor its responsibilities and obligations to tribal nations as they work to respond to the current crisis caused by the rapidly spreading 2019 novel coronavirus (COVID-19).

We make the following recommendations to ensure a robust and comprehensive response to the COVID-19 pandemic:

DEPARTMENT OF EDUCATION

• **Identify Equitable Funding Levels for AI/AN Programs Under H.R. 748:**

Of the \$30.75 billion in the Education Stabilization Fund (the “Fund”), one half of one percent is to be made available to programs operated or funded by the Bureau of Indian Education (BIE), including Tribal Colleges and Universities (TCUs). Congress directed the Secretary of the Interior to consult with the Secretary of Education in allocating this vitally needed funding. We recommend that the BIE prioritizes funding to programs that have the most direct impact on AI/AN students. We expect the BIE to work with our organizations and tribal nations to swiftly develop and implement an equitable strategy for disseminating these resources to BIE-operated and BIE-funded pre-K to 12 schools, TCUs, and Johnson O’Malley programs. Lastly, we urge your departments to provide clarity on the type of reporting that will be required from tribal nations and tribal entities regarding the use of these funds.

Through the Fund, Congress allocated \$13.23 billion for the Elementary and Secondary School Emergency Relief Fund, through which state educational agencies will provide funding to state public elementary and secondary schools. This funding is essential to addressing the needs of the 93 percent of Native students who attend state public schools. These funds must be targeted to areas with vulnerable and historically

underrepresented students, including Native students, where other sources of funding may not be available. Further, we urge you to ensure that states with Native students include AI/AN tribal nations in all state planning efforts related to the distribution of funding, namely meetings, hearings, committees, boards, plan documents, and accountability processes.

- **Ensure TCUs, Alaska Native and Native Hawaiian-serving institutions (ANNHIs), and Native American-serving, nontribal institutions (NASNTIs) receive equitable funding with Maximum Flexibility:**

Congress designated \$13.95 billion to institutions of higher education through the Higher Education Emergency Relief Fund. Of this amount, 7.5 percent, or \$1.04 billion is targeted to Historically Black Colleges and Universities (HBCUs), TCUs, and Minority-Serving Institutions (MSIs). However, Congress did not specify how the funding is to be allocated among the different groups of institutions. We urge the Secretary of Education to ensure that TCUs, ANNHIs, and NASNTIs receive equitable funding through this program.

- **Develop a Clear and Equitable Process for Education Waivers:**

The Act provides streamlined waivers through the Department of Education for certain statutory and regulatory requirements related to assessments, accountability, and reporting (in addition to other grant requirements). Eligibility for such waivers is explicitly extended to the BIE and tribally controlled schools. Affirming tribal sovereignty, Congress recognized tribal authority to apply for these waivers. As the Administration plans for the implementation of these waivers, tribal leaders have raised questions as to how the waivers will be granted. We look forward to working with the Department of Education to swiftly develop a clear and equitable process that does not place an undue burden on tribal nations.

DEPARTMENT OF THE INTERIOR, BUREAU OF INDIAN EDUCATION

- **Immediately Distribute Funds and Allow for Maximum Flexibility in Use:**

We are pleased that Congress allocated \$69 million for emergency and immediate BIE Operations, including \$20 million for TCUs. BIE schools have been historically underfunded in the appropriations process, and these schools desperately need emergency funds to address the immediate needs created by the spread of COVID-19. In addition, it is critical for the Department of the Interior to allow maximum flexibility in the use of new and existing funds to enable tribal nations to carry out comprehensive COVID-19 response efforts. We look forward to working with the BIE to ensure funding is swiftly allocated to schools.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

- **Ensure Areas With High Native Populations Have Summer Educational Services:**

The Act appropriates \$750 million for making payments under the Head Start program, and up to \$500 million will be available for operating supplemental summer programs to existing grantees determined most ready to operate those programs by the Office of Head Start. Many Native families rely on Head Start, and we recommend the Secretary immediately establish a mechanism to disburse these funds and identify those who would be considered ready to offer summer programs. During this process, it is critical to identify areas with high Native populations that may not have a summer program as an option, and to work with existing grantees to ensure that all early childhood students, including those in Indian Country, have access to critical educational services this summer.

As the COVID-19 pandemic continues to surge, we urge your prompt consideration of these requests to ensure that necessary resources are delivered to all AI/AN students and schools as expeditiously as possible. We stand ready to work with you to ensure your departments are prepared to uphold the federal trust responsibility to our tribal nations as you work to address the impact of this global crisis on all Native students.

Sincerely,



Kevin J. Allis
Chief Executive Officer
National Congress of
American Indians

Carrie L. Billy
President & CEO
American Indian Higher
Education Consortium

Diana Cournoyer
Executive Director
National Indian Education
Association



President
United South and Eastern
Tribes Sovereignty Protection
Fund

Executive Director
National Council of Urban
Indian Health

cc: The Honorable Roy Blunt, U.S. Senate
The Honorable Patty Murray, U.S. Senate
The Honorable Rosa DeLauro, U.S. House of Representatives
The Honorable Tom Cole, U.S. House of Representatives
The Honorable Lisa Murkowski, U.S. Senate
The Honorable Tom Udall, U.S. Senate
The Honorable Betty McCollum, U.S. House of Representatives
The Honorable David Joyce, U.S. House of Representatives
Ruth Ryder, Acting Director, Office of Indian Education, Department of Education
Tony Dearman, Director, Bureau of Indian Education, Department of the Interior
Jeannie Hovland, Commissioner, Administration for Native Americans, Department of Health and Human Services
Dr. Deborah Bergeron, Director, Office of Head Start, Department of Health and Human Services
Ron Lessard, Acting Director, White House Initiative on American Indian and Alaska Native Education

May 28, 2020

Representative Nancy Pelosi
Speaker of the House
United States House of Representatives
H-232, The Capitol
Washington, DC 20515

Representative Kevin McCarthy
Minority Leader
United States House of Representatives
H-204, The Capitol
Washington, DC 20515

Senator Mitch McConnell
Majority Leader
United States Senate
317 Russell Senate Office Building
Washington, DC 20510

Senator Chuck Schumer
Minority Leader
United States Senate
322 Hart Senate Office Building
Washington, DC 20510

Re: COVID-19 Limited Liability Protections

Dear Speaker Pelosi, Minority Leader McCarthy, Leader McConnell, and Minority Leader Schumer:

On behalf of the American Council on Education and the undersigned higher education associations, I am writing today to urge you to quickly enact temporary and targeted liability protections related to the COVID-19 pandemic. While these crucial protections are likely necessary for many sectors of the American economy, this letter focuses on the need to safeguard higher education institutions and systems, affiliated nonprofits, and healthcare providers and facilities from excessive and speculative lawsuits arising out of the pandemic.

Encouraging, enabling, and supporting the safe reopening of college and university campuses for in-person learning is essential to educating our nation's future workforce, preserving employment for millions, and helping restart America's economy. As colleges and universities contemplate whether and how to safely reopen this fall, their overriding concern is keeping students, faculty, staff, and local communities safe. These decisions are not premised on making a trade-off between safety and the economy. Nor are institutions of higher education seeking a free pass to avoid responsibility, much less immunize themselves for their own or others' bad acts.

But as colleges and universities assess how quickly and completely campuses can resume full operations, they are facing enormous uncertainty about COVID-19-related standards of care and corresponding fears of huge transactional costs associated with defending against COVID-19 spread lawsuits, even when they have done everything within their power to keep students, employees, and visitors safe. To blunt the chilling effect this will have on otherwise reasonable decision-making leading to our nation's campuses resuming operations in a safe and sensible manner, we ask that Congress quickly enact temporary COVID-19-related liability protections for higher education institutions and systems, affiliated entities, as well as their faculty, staff and volunteers. These protections should be conditioned on following applicable public health standards, and they should preserve recourse for those harmed by truly bad actors who engage in egregious misconduct.

Colleges and universities, including their health care facilities and research enterprises, are engaged in every sector of critical infrastructure necessary to support American communities. In addition to educating and training our country's future workforce, they provide health services, cultural resources, spectator sports venues, and recreational amenities to their communities. Our medical schools, teaching hospitals, and research labs are working around the clock to find the best treatments and vaccines for COVID-19. Moreover, our higher education institutions maintain full service utilities, telecommunications, and computing networks; they provide housing and food services; and they operate transportation networks, hotels, retail shops, daycares, gyms, and museums. To support this broad array of activities, they directly employ tens of thousands of skilled workers in various trades, from electricians and linemen to plumbers and HVAC technicians; from landscapers and painters to carpenters and fabricators.

Unfortunately, all colleges and universities, two- and four-year, public and private nonprofit, are facing unprecedented challenges as a result of the COVID-19 pandemic. The impact on the operations and revenues of many institutions has been catastrophic, for some even existential, which has had a terrible ripple effect in communities large and small. The pandemic is also causing massive disruption to students and their families. Many are grappling with sudden changes to their financial circumstances.

In the wake of prior crises, Congress came together to pass timely and targeted liability protections with strong bipartisan support because lawmakers understood the acute economic threat of lawsuits at moments of maximum economic vulnerability. While Congress has acted to provide some limited COVID-related liability protections for volunteer healthcare providers and some manufacturers of PPE in the CARES Act, much more must be done. While some governors and state legislatures have enacted COVID-19 liability limitations, this is a national problem requiring a national solution.

Higher education's need for temporary and targeted liability protections and relief is clear. Now is the time for Congress to act.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Mitchell". The signature is written in a cursive, slightly slanted style.

Ted Mitchell President

On behalf of:

Achieving the Dream

American Association of Colleges of Nursing

American Association of Colleges for Teacher Education

American Association of Collegiate Registrars and Admissions Officers

American Association of Community Colleges

American Association of State Colleges and Universities

American College Health Association

American Council on Education

American Dental Education Association

American Indian Higher Education Consortium

APPA, "Leadership in Educational Facilities"

Associated Colleges of the Midwest

Association for Biblical Higher Education

Association of Advanced Rabbinical and Talmudic Schools

Association of American Colleges and Universities

Association of American Medical Colleges

Association of American Universities

Association of California Colleges and Universities

Association of Catholic Colleges and Universities

Association of Community College Trustees

Association of Governing Boards of Universities and Colleges

Association of Independent Colleges & Universities of Rhode Island

Association of Independent Colleges and Universities in Massachusetts

Association of Independent Colleges and Universities of Ohio

Association of Independent Colleges and Universities of Pennsylvania (AICUP)

Association of Independent Colleges of Art & Design

Association of Jesuit Colleges and Universities

Association of Public and Land-grant Universities

Association of Research Libraries

Association of Vermont Independent Colleges

College and University Professional Association for Human Resource

Commission on Independent Colleges and Universities-NYS

Conference for Mercy Higher Education

Connecticut Conference of Independent Colleges

Council for Advancement and Support of Education

Council for Christian Colleges & Universities

Council of Graduate Schools

Council for Higher Education Accreditation

Council of Independent Colleges

Council of Independent Colleges in Virginia

Council of Independent Nebraska Colleges

EDUCAUSE

Great Lakes Colleges Association

Hispanic Association of Colleges and Universities
Independent Colleges and Universities of Florida
Independent Colleges and Universities of Missouri
Independent Colleges of Indiana
Independent Colleges of Washington
Kansas Independent College Association
Louisiana Association of Independent Colleges and Universities
Maryland Independent College and University Association
Midwestern Higher Education Compact
Missouri Colleges Fund, Inc.
NASPA - Student Affairs Administrators in Higher Education
National Association of College and University Business Officers
National Association of Independent Colleges and Universities
National Association of Schools and Colleges of the United Methodist Church
National Collegiate Athletic Association
Network of Colleges and Universities, Evangelical Lutheran Church in America
New England Board of Higher Education
North Carolina Independent Colleges and Universities
Northwest Commission on Colleges and Universities
Ohio Foundation of Independent Colleges
Online Learning Consortium
Oregon Alliance of Independent Colleges & Universities
Oregon Community College Association
South Carolina Independent Colleges and Universities
Southern Association of Colleges and Schools Commission on Colleges
Southern Regional Education Board
State Higher Education Executive Officers Association
Tennessee Independent Colleges and Universities Assoc.
UNCF (United Negro College Fund, Inc.)
UPCEA
Virginia Foundation for Independent Colleges
West Virginia Independent Colleges & Universities
Western Interstate Commission for Higher Education
Wisconsin Association of Independent Colleges and Universities



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The Honorable Marco Rubio
Committee on Small Business and
Entrepreneurship
United States Senate
Washington, DC 20510

The Honorable Ben Cardin
Committee on Small Business and
Entrepreneurship
United States Senate
Washington, DC 20510

May 29, 2020

Dear Chairman Rubio and Ranking Member Cardin:

On behalf of the American Council on Education and the undersigned higher education associations, we write in support of the language included in the recently passed H.R. 6800, the Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act, that expands the Small Business Administration (SBA) Paycheck Protection Program (PPP) to all nonprofits, regardless of size. As the Senate begins to consider the next COVID-19 package, we urge you to include this important provision in future legislation. We also urge you to explicitly make all nonprofit and public institutions of higher education eligible for PPP, just as the HEROES Act did for the Main Street Lending Program.

As you know, colleges and universities are often the largest or one of the largest employers in their local communities. Those institutions, like other sectors, are facing a major cash flow crisis in light of the reduced revenues and increased expenses imposed by the COVID-19 pandemic. Institutions expect to refund nearly \$8 billion in room and board charges alone. Anticipated sources of auxiliary revenue have dried up as campus events have been canceled. Summer programs that provide revenue to many institutions also have been canceled. At the same time, institutions are facing additional costs—such as deep cleaning campus buildings and increased security expenses.

Sec. 90001, “Amendments to the Paycheck Protection Program,” of the HEROES Act would expand the PPP program to nonprofits of any size. This expansion would help institutions of higher education of all sizes address the financial issues caused by COVID-19, especially given the forgiveness options for this important program. These benefits should explicitly be made available to public institutions of higher education, that are not organized as nonprofits, as well. We look forward to working with you as Congress works to support businesses and other organizations and strengthen the economy, including assistance for nonprofit institutions of higher education, during the COVID-19 crisis.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Mitchell', is written over a light blue circular stamp.

Ted Mitchell, President

On behalf of:

ACPA-College Student Educators International
American Association of Colleges for Teacher Education
American Association of Colleges of Nursing
American Association of Collegiate Registrars and Admissions Officers
American Association of Community Colleges
American Association of State Colleges and Universities
American Association of University Professors
American College Health Association
American Council on Education
American Dental Education Association
American Indian Higher Education Consortium
Asociación de Colegios y Universidades Privadas de Puerto Rico
Association of Advanced Rabbinical and Talmudic Schools
Association for Biblical Higher Education
Association of American Universities
Association of Catholic Colleges and Universities
Association of Community College Trustees
Association of Jesuit Colleges and Universities
Association of Independent California Colleges and Universities
Association of Independent Colleges and Universities of Pennsylvania
Association of Independent Colleges and Universities of Rhode Island
Association of Independent Colleges and Universities in Massachusetts
Association of Independent Colleges of Art & Design
Association of Presbyterian Colleges and Universities
Association of Public and Land-grant Universities
Association of Vermont Independent Colleges
College and University Professional Association for Human Resources
Conference for Mercy Higher Education
Common App
Council for Christian Colleges & Universities
Council for Higher Education Accreditation
Council of Independent Colleges
Council of Independent Colleges in Virginia
EDUCAUSE
ETS
Georgia Independent College Association
Great Lakes Colleges Association
Hispanic Association of Colleges and Universities
Independent Colleges and Universities of Florida
Independent Colleges of Indiana
Independent Colleges of Washington
Iowa Association of Independent Colleges and Universities
Kansas Independent College Association
Louisiana Association of Independent Colleges and Universities
Maryland Independent College and University Association
Minnesota Private College Council
NAFSA: Association of International Educators
NASPA - Student Affairs Administrators in Higher Education
National Collegiate Athletic Association
National Association for College Admission Counseling



TRIBAL COLLEGES AND UNIVERSITIES

PHASE 4 RELIEF PACKAGE: URGENT COVID-19 RELATED INFRASTRUCTURE & SUPPORT NEEDS

Updated: July 8, 2020

Outlined below are data informed cost estimates to address urgent COVID-19 related needs of Tribal Colleges and Universities (TCUs). Although it is difficult to predict how deeply TCUs, their students, and their communities will suffer due to the COVID-19 pandemic, experts predict that the pandemic will peak in the western U.S., where most TCUs are located, much later than other parts of the country. As TCUs begin to plan for an uncertain future (2020-2021 academic year), we turned to data on past economic, academic, and community patterns to help inform our decision making.

1. **\$65 million in the Interior-Bureau of Indian Education account to help Tribal College and Universities address projected AY-2020-21 losses: Tribal support & tuition cuts; increased tuition write-offs.**

Most TCUs start their fiscal year on July 1. As TCUs plan for FY2021 (Academic Year 2020-21), they face:

- A significant drop in support from chartering Tribal governments due to the ongoing and staggering loss of casino revenue, tribal enterprise revenue losses, and the need for tribes to divert scarce resources to address COVID-19 emergency public health issues, community safety net expenses, and enterprise losses. Tribal TCU Payments: 2018-19: \$33,331,078; 2017-18: \$31,049,542 (AIHEC AIMS).
- Projected declines in enrollment as students drop out or fail to return because they lack Internet connectivity and cannot participate in online classes or because they need to increase work hours (if jobs are available) to help support families in economic crisis. Total TCU Tuition Received: 2018-19: \$23,188,584 (AIHEC AIMS); 2017-18: \$25,503,359 (IPEDS).
- Inability of most TCUs to conduct summer classes, due to the need for intensive faculty development in online learning, advising, and assessment to maintain regional accreditation and the need to complete extensive course and management redesign for the fall semester because of increased online teaching. Summer Tuition and Fees: 2018-19: \$1,692,995 (AIHEC AIMS)
- Growing financial challenges facing students who persist and try to complete their degree programs, resulting in TCUs having to write off more tuition payments than in previous years. Annual TCU Tuition Write-off: 2018-19: \$4,000,595; 2017-18: \$2,906,650 (AIHEC AIMS).
- American Council on Education (ACE) "Survey of COVID-19 Costs of Reopening for Institutions of Higher Education": In June 2020, ACE conducted a national survey on the costs of reopening campuses and/or delivering classes online in academic year 2020-21. (This survey was like one conducted by AIHEC early in the pandemic.) ACE surveyed IHEs in eight areas: PPE; disinfectant level cleaning, including supplies; testing; new housing; lost revenue and increased revenue costs: housing, staffing, IT; isolation/quarantine; social distancing (retrofitting classrooms and other campus spaces); and other. U.S. Department of Education IPEDS data was used to calculate a per student cost. Using only institutions that could estimate costs by category (4-year, larger institutions), ACE averaged the costs and then divided by total IPEDS student enrollment of the surveyed IHEs. The cost per student is \$2,400.

For TCUs, this figure is higher because: (a) IPEDS does not accurately reflect enrollment at TCUs using FTE, because of the high number of part-time students at TCUs; (b) historic inequities in funding and geographic location (e.g. lower IT access, capacity, and equipment; cost of providing services in rural areas the size of some states versus in compact urban areas); (c) student demographics (TCUs serve students at higher risk than mainstream institutions – 84 percent receive Pell benefits, as opposed to 31 percent nationally); and (d) the ACE survey did not include mental/behavioral health counseling; faculty professional development/training (for online instruction); and certain sunk costs that are incurred regardless of size with

a lower student numbers to spread costs across. To account for these factors, increasing the cost by one quarter for 22,000 TCU students, the **overall TCU need is estimated at \$66,000,000.**

2. **\$24 million in existing USDA-Rural Utilities Service Program funds for a permanent Rural TCU-IT Fund.**

Justification: To address a key part of the digital divide/homework gap and long term IT capacity building in Indian Country, Congress should establish a permanent **TCU Fund** under the USDA-Rural Utilities Service. Over the past several years, funding has gone unused in the program. A \$24 million annual set-aside for TCUs, which are the 1994 Land-grant institutions, could be established using existing funds and therefore would be at no additional cost. (Note: for the TCU program, matching requirements should be waived.)

If TCUs had adequate funding currently for IT infrastructure support, they would have put in place many of the community-based mobile hot spots needed to address the “homework gap” on many reservations. *It is important to note that any program to provide tax credits to existing Internet Service Providers for providing free internet access to students provides little or no help in Indian Country because the IT infrastructure does not exist: 68 percent of those on rural Tribal lands lack access to fixed broadband, according to a 2016 FCC Broadband Progress Report.* And for TCUs that do have broadband access, Internet capacity is inadequate. **Nearly one-third of all TCUs (ten) have Internet speeds at 100 Mbps or less – five are below 50 Mbps.** This compares to national averages of 513 Mbps for 2-year institutions and 3.5 Gbps for 4-year institutions.

Establishing specific funds for Land-grant institutions is not unusual. In the last reauthorization of the Farm Bill, for example, Congress established a permanent \$40 million scholarship fund for 1890 Land-grant institutions (Historically Black Colleges and Universities) and Congress has established an annual fund a modest TCU communities facilities construction set-aside program within the USDA-Rural Development Community Facilities program.

3. **\$500 million in the Interior-BIE account for a TCU Deferred Maintenance & Rehabilitation Fund, as authorized under the Tribally Controlled Colleges and Universities Assistance Act.**

Justification: AIHEC recently conducted a survey of 22 TCUs, which revealed a list of chronic facilities-related needs, including student and faculty housing, classrooms, libraries, and laboratories. The 22 TCUs have an estimated total need of \$332.5 million in deferred maintenance and rehabilitation and need \$558 million to fully implement existing master plans. Extrapolating this to all 37 TCUs, the total *current* need is: ***Deferred Maintenance/Rehabilitation: \$500 million; Completion of Master Plans: \$837 million.***

Background: Since mid-March 2020, the nation’s 35 accredited TCUs have incurred significant costs related to the COVID-19 pandemic, including closing and securing campuses; relocating students off campus and providing shelter in place housing for students who had no home to go to; beginning the first phase of online courses; purchasing equipment for students and providing emergency aid; and paying salaries/administrative leave for staff who would otherwise be unemployed. Virtually all TCUs have moved to online instruction and have closed most of their physical campuses. TCUs also face challenges in addressing: (a) Career and technical courses, which often cannot be converted to online courses; (b) professional development and course redesign for faculty; (c) equipment and infrastructure for online delivery of courses; and (d) lack of Internet access in students’ homes. The \$22.9M provided in the CARES Act will help TCUs address *some* of these critical issues, but as challenges continue to mount, more funding is needed.

Special Note:

To ensure that all TCUs are included in new federal programs and opportunities, the term “tribal colleges and universities”, defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c), should be used:

TRIBAL COLLEGE OR UNIVERSITY.—The term “Tribal College or University” means an institution that—
(A) qualifies for funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a note); or (B) is cited in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note). (20 U.S.C. 1059c)

There are five different types of TCUs:

- Tribally chartered colleges funded under Titles I and II of the Tribally Controlled Colleges and Universities Assistance Act (TCU Act) (29 TCUs);
- Tribally controlled career and technical colleges funded under the Carl Perkins Act and more recently, Title V of the TCU Act (2 TCUs);
- BIE-operated colleges (2 TCUs);
- Congressionally-chartered AI/AN college (1 TCU – IAIA); and
- State/Tribal hybrid college chartered by the state of Minnesota and one Indian tribe (1 TCU – Fond du Lac Tribal and Community College).

TRIBAL COLLEGES AND UNIVERSITIES: PHASE 4 COVID-19 RELIEF & ECONOMIC RELIEF NEEDS:
INFRASTRUCTURE: IT INFRASTRUCTURE/ONLINE EDUCATION & DEFERRED MAINTENANCE/REHABILITATION
 May 2020

CONGRESS MUST ADDRESS CRITICAL TCU IT INFRASTRUCTURE NEEDS

The USDA-Rural Utilities Service provides funding to support a variety of critical infrastructure improvements in rural communities including telecommunications and broadband services. Congress should establish a permanent \$24 million per year set aside for TCUs under the USDA-Rural Utilities Service to better serve TCUs, as rural, community-based, and under-resourced institutions. Over the past several years, telecommunications and broadband funding has gone unused under the RUS program. A permanent \$24 million set-aside for TCUs, which are 1994 Land-grant institutions served by USDA, could be established at no additional cost using existing funds.



- Any program to provide tax credits to existing Internet Service Providers for providing free internet access to students provides little to no help in Indian Country because the IT infrastructure does not exist: 68 percent of Americans on rural Tribal lands lack access to fixed broadband, according to a 2016 FCC Broadband Progress Report.
- 32 TCUs are located in rural or remote areas. For these TCUs, lack of choice of internet service providers exist, driving up costs.
- 31 of 35 accredited TCUs serve as community libraries.
- At some TCUs, more than half the students have NO internet access at home, making online education impossible at present.
- TCUs have more expensive and, on average, much slower internet connectivity than other U.S. institutions of higher education. Average TCU connectivity speed is 336 mbps, compared to 513 mbps (2-year IHE) and 3.5 gbps (4-year IHE). **Iłisaġvik College, a TCU, has the most expensive and slowest Internet connectivity in the entire U.S. higher education system.**
- Industry standard for IT equipment replacement is 3-5 years. At TCUs, the average IT equipment replacement timeline is 8.29 years.
- Reliable broadband is essential to making the most of online resources and opportunities for faculty professional development.



TCU DEFERRED MAINTENANCE & REHABILITATION NEEDS

(TRIBALLY CONTROLLED COLLEGES & UNIVERSITIES ASSISTANCE ACT, "TCU ACT")

- TCUs have a documented need of **nearly \$500 million** in deferred maintenance and campus rehabilitation needs.
- TCUs have a documented need of **more than \$800 million** to complete existing master plans.
- Despite 40-year-old statutory authority, Congress has never funded the BIE's TCU Construction/Rehabilitation program.
- Aside from two federal TCUs, TCUs have no dedicated facilities construction/maintenance line in the Interior budget. Repairs and upkeep come out of operating budgets, robbing funds from student support, curriculum development, libraries, and more.

- **TCUs need a \$500 million Deferred Maintenance/Rehabilitation Fund in a COVID-19 Stimulus bill:** A recent AIHEC survey of TCUs revealed a list of chronic facilities-related maintenance and rehabilitation needs, including student and faculty housing, classrooms, libraries, and laboratories. The TCUs have an estimated total need of \$489.75 million in deferred maintenance and rehabilitation and need \$837 million to fully implement existing master plans. A dedicated deferred maintenance and rehabilitation fund for TCUs in the U.S. Department of the Interior would help the 21st century needs of *all* TCUs, including technology-enabled facilities; campus renovations; IT infrastructure; and facilities necessary for career, technical, and pipeline programs. Attached is a spreadsheet of TCU immediate (and master plan) needs.

| State | TCU Name | Top NEW Facility Needs | Estimated CURRENT Deferred Maintenance & Rehabilitation Needs | Campus Master Plan | TOTAL amount needed to fully achieve Campus Master Plan |
|-------|-----------------------------------|---|---|------------------------------|---|
| AK | Iłisaġvik College | Entire new campus including classrooms, Labs, student center, dorm and family housing | \$0 | Yes | \$175,000,000 |
| AZ | Tohono O'odham Community College | Chemistry wet lab; dorms (32 beds now) for students who live 60+ miles away & lack transportation; Multi-purpose facility (faculty offices, student areas, cafeteria) | \$5,500,000 | Yes, 2010 (reaffirmed, 2016) | \$25,000,000 |
| KS | Haskell Indian Nations University | STEM Building (classrooms, labs) - \$20,578,199; Dorm - \$15,144, 928; Child Care Center - \$1,538,432 | \$195,922,424 | Yes | \$170,760,186 |
| MI | Bay Mills Community College | Connector from classroom bldg. to Library | \$604,600 | Yes | \$1,000,000 |
| MI | Saginaw Chippewa TC | New Campus: classrooms, laboratories, student center, administration offices, faculty offices, library | \$0 | Yes | \$32,000,000 |
| MN | Fond du Lac T&CC | Classroom space with ITV capabilities, expansion to complete the original footprint of the building | \$10,000,000 | Yes | \$25, 000,000 |
| MN | Red Lake Nation College | Dorms/Student Housing | \$12,000,000 | Yes | \$20,000,000 |
| MN | Leech Lake Tribal College | Faculty Offices/Commons (Student Center) | \$7,000,000 | Yes | \$75,000,000 |
| MT | Aaniih Nakoda College | Student Center | \$20,000,000 | Yes | \$12,000,000 |
| MT | Chief Dull Knife College | Classrooms and Laboratories | \$5,780,165 | Yes | \$39,490,557 |
| MT | Fort Peck Community College | Health Center and Gymnasium | \$10,000,000 | Yes | \$20,000,000 |
| MT | Salish Kootenai College | Dorm (\$1.8M); Allied Health/Nursing Bldg (\$2M); STEM lab/facility (\$1.5M); Career/Tech Ed Bldg. (\$2M); Academic Support/Testing Center (\$1.5M) | \$12,000,000 | Yes | \$18,000,000 |

| State | TCU Name | Top NEW Facility Needs | Estimated CURRENT Deferred Maintenance & Rehabilitation Needs | Campus Master Plan | TOTAL amount needed to fully achieve Campus Master Plan |
|--|---------------------------------|--|---|--------------------|---|
| NE | Little Priest Tribal College | Dorms/Student Housing | \$0 | In development | \$50,000,000 |
| ND | Cankdeska Cikana C.C. | Student/faculty housing: \$5-12,000,000 | \$500,000 | Yes | \$12,000,000 |
| ND/SD | Sitting Bull College | Cafeteria and Wellness Center | \$500,000 | Yes | \$30,000,000 |
| OK | College of the Muscogee Nation | STEM Classrooms | \$8,000,000 | Yes | \$21,000,000 |
| SD | Oglala Lakota College | New Instructional Center at Pejuta Haka; New Road to lower dust at Kyle Head Start; 4 Buildings for Early Head Start Centers; Head Start Administration and Garage Building; Faculty Housing | \$8,000,000 | Yes | \$12,000,000 |
| SD | Sinte Gleska University | Student and faculty housing | \$15,000,000 | No | unsure |
| SD | Sisseton Wahpeton | Voc-Tech Bldg for Auto, Diesel, Ag Mechanics w/bays & Classrooms; Dorms; Gym/PE Facility | \$0 | Yes | \$7,700,000 |
| WA | Northwest Indian College | Workforce Training Bldg; Health and Wellness Center/Gymnasium; Administration Bldg | \$15,000,000 | Yes | \$25,000,000 |
| WI | College of Menominee Nation | Dorms; Visiting Faculty Housing; Student & Wellness Center; Classrooms | \$1,200,000 | (needs updating) | \$12,000,000 |
| WI | Lac Courte Oreilles Ojibwa C.C. | Dorms | \$6,078,000 | In development | |
| TOTAL: Deferred Maintenance and Rehabilitation Needs: | | | \$332,480,589 | | |
| TOTAL: Master Plan Completion: | | | \$557,950,743 | | |

**Tribal Colleges and Universities
Information Technology and Cyberinfrastructure Needs
May 6, 2020**

In fall 2017, the American Indian Higher Education Consortium (AIHEC) was awarded a 3-year grant from the National Science Foundation to conduct a detailed study of the information technology and cyberinfrastructure systems at the nation's 37 Tribal Colleges and Universities. The *Study of Tribal College and University Cyberinfrastructure and Supported STEM Programs* goals are to:

1. Conduct a comprehensive examination of the cyberinfrastructure (CI) of the 37 Tribal Colleges and Universities (TCUs), including a comparison with other institutions of higher education; and
2. Facilitate capacity-building at TCUs to enable TCU students and faculty to participate in national CI-enabled research and education programs, including state and regional Internet networks that provide access to the *national network* of research and education resources essential to the national STEM research enterprise, which will significantly strengthen American Indian and Alaska Native (AI/AN) participation in the national STEM workforce and bring STEM-based economic opportunities to Tribal communities.

AIHEC assembled a team of nationally recognized higher education information technology (IT) professionals, including network engineers, chief information officers and systems specialists, to assist with the study. The technical lead is Dale Smith, University of Oregon network engineer. The management lead is Jim Bottum, retired Clemson University chief information officer. AIHEC partnered with EDUCAUSE, the nation's premier association of higher education IT professionals to conduct a survey of the status of TCU IT and CI systems. Twenty-four TCUs participated in the initial AIHEC-EDUCAUSE IT survey. Over the past two years, the AIHEC IT/CI team conducted in depth site visits and evaluations at 35 TCUs (College of Menominee Nation's visit is postponed and San Carlos Apache College's visit has not been scheduled due to the COVID-19 pandemic).

Findings of the AIHEC-EDUCAUSE IT survey and AIHEC site visits include:

- TCUs average Internet connectivity rates are slower than national averages for institutions of higher education: Average TCU Internet connectivity is 336 Mbps, with a maximum reported 1.06 Gbps, and minimum of 6 Mbps.
- Average TCU equipment replacement rate of 8.29 years; industry standard rates is 3-5 years
- While the colleges have made investments in Gigabit Ethernet, a number of the colleges continue to use old 10/100 Ethernet ports. Approximately one-third of responding TCUs have faster 10 Gigabit equipment installed.
- All TCUs have Wi-Fi networks on their campuses. Many of the colleges are using outdated Wi-Fi technology; 15% are using current state of the art Wi-Fi systems.
- 25% of the TCUs have not properly separated network servers from the rest of the campus network due to lack of funding, resulting in privacy compliance issues.

CURRENT TCU CONNECTIVITY SPEEDS AND COSTS:

Many TCUs are paying connectivity rates that are significantly higher than the national average, and therefore they cannot afford connectivity levels that are typical for 2-year and 4-year institutions nationally.

| | TCUs | 2-Year IHE | 4-Year IHE |
|---|---|---|-------------------|
| Average Connectivity | 336 MBPS <i>Max: 1,060 MBPS (3 TCUs)</i> <i>Lowest: 6 MBPS</i> | 513 MBPS | 3.5 GBPS |
| Average Hardware Refresh Cycle | 8.29 years | 3-5 years | |
| TCU & National Mbps/Gbps Costs | <u>Tohono O'odham Comm. College:</u> 50 Mbps: \$3,500 per month <i>(Rate: \$70/Mbps per month)</i> | 1 Gbps: \$1,000 per month <i>(Rate = \$1/Mbps per month)</i> | |
| TCU Average TOTAL Internet Cost | Average: \$40,000/year. Highest: <ul style="list-style-type: none"> • 1 site: \$250,000/year: Iḷisaḡvik College (Barrow, AK) • 3 sites: \$367,000/year: Diné College | | |

Data from the AIHEC-EDUCAUSE IT survey demonstrate how TCU IT equipment replacement rates lag behind industry standard rates. For core devices such as firewalls, core switches, and routers, the average replacement rate at TCUs is 8.29 years. The industry standard replacement rates is between 3 to 5 years.

Twenty-five percent of TCUs have not properly separated their network servers from the rest of their campus network and may not meet the most basic compliance issues such as Payment Card Instruction compliance (credit card processing), Family and Educational Rights and Privacy Act compliance (protecting student information), and Gramm-Leach-Bliley Act compliance (student and consumer privacy).

COST ESTIMATES:

Enhanced Internet Access for students and faculty to teach and study remotely: TCUs are in isolated rural regions where most students lack access to Internet service at their homes. This category provides additional access locations on tribal lands and connection speed enhancements at all College campus locations.

1. **Internet Access at TCUs:** This estimate uses the average annual cost of \$40,000 for Internet connectivity.

Annual recurring cost of \$40,000 per year; cost x 37 Main TCU locations x 1 year = \$1.48M
Annual recurring cost of \$12,000 per year; cost x 35 TCU satellite locations x 1 year = \$420,000

2. **IT Equipment Improvements:** This includes network hardware upgrades to support higher speeds and additional Internet capacity at each location needed for online teaching and learning.

One time cost of \$20,000 per location; Cost x 72 campus locations = \$1.44M
Annual recurring cost of \$10,000 per year; cost x 72 locations x 1 year = \$720,000

3. **Public Wi-Fi hot spot locations** distributed in locations on tribal lands to optimize student and faculty Internet access close to home. Intended primarily for individuals to access from their personal vehicles. Some of these hotspot sites will be served by point-to-point wireless, others by DSL or telecom provided Internet.

One-time cost of \$10,000 per location; Cost x 72 campus locations = \$720,000
Annual recurring cost of \$1,200/year/location; cost x 72 locations x 1 year = \$87,000

4. **Building Staff and IT Administrative Capacity:** TCUs are challenged to maintain adequately staffed and trained IT departments. Current staff levels and skills sets much match the requirements of campus technology operations, maintenance and user community support. Funds will allow colleges to achieve adequate staffing and provide professional development in critical IT skills set needs.

Annual recurring cost of \$150,000 per year: cost x 37 locations x 1 years = \$5.55M

5. **Enterprise Resource Planning Systems:** Funds are needed to support annual licensing costs of the colleges' administrative systems and to provide regular training and technical support by the ERP provider to the campus user community.

Annual recurring cost of \$400,000 per year cost x 37 TCUs x 1 years = \$14.8M

Total: First Year Funding \$23,990,000
Recurring Annual Funding: \$21,577,000

2017-2018 AIHEC-EDUCAUSE IT SURVEY DATA SUMMARY:

The AIHEC-EDUCAUSE survey was completed by 24 TCUs. Selected additional data includes:

TCU Information Technology Expenses

| | Total IT Expenses | Staff Expense | Student Staff Expense |
|----------------|-------------------|---------------|-----------------------|
| Average | \$484,088 | \$245,997 | \$1,007 |
| Max | \$1,978,377 | \$593,916 | \$10,100 |
| Min | \$120,064 | \$70,590 | \$0 |

TCU Information Technology Staffing

| | Full Time Staff | Student Staff* |
|----------------|------------------------|-----------------------|
| Average | 4.21 | 0.89 |
| Max | 12 | 8 |
| Min | 1 | 0 |

*ManyTCUs employ students in their IT departments, as students can cost-effectively expand IT support resources.

Size of Institutions (TCUs)

| | # Buildings on Main Campus | # of Branch Campuses |
|----------------|-----------------------------------|-----------------------------|
| Average | 12.78 | 2 |
| Max | 54 | 12 |
| Min | 2 | 0 |

National Research and Education Network

State/regional R&E Networks: State and regional networks provide access to the national network of research and education resources that are essential to the national STEM research enterprise. The Northern Tier Network is a regional research and education network serving the region within which most of the TCUs are located. As can be seen from the maps below, some TCUs are located relatively close to a network and with some investment in fiber or wireless technology to bridge the “last mile” would be able to connect. However, for most TCUs, the distance and cost of connecting is prohibitive for small under-resourced institutions. The benefits of participating in a state or regional network are many. A high level of cybersecurity, regular system upgrades that improve performance across the network, and most important, membership in a community of practice from which all TCU IT departments can benefit through access to a broad range of technical expertise and support.

Figure 1. Northern Tier Network Consortium, 2020 (excluding Alaska)

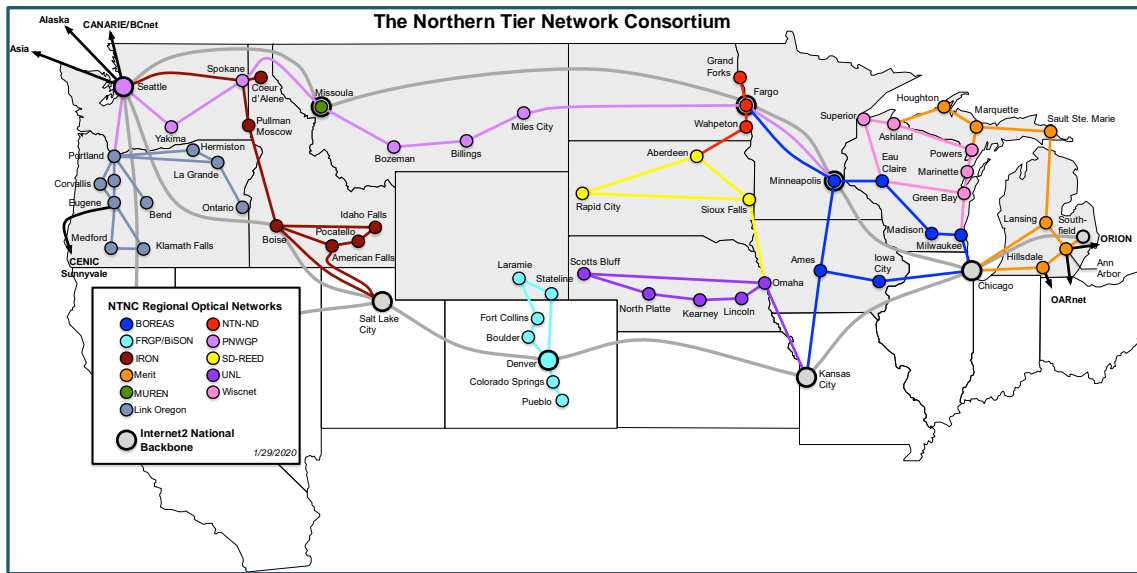
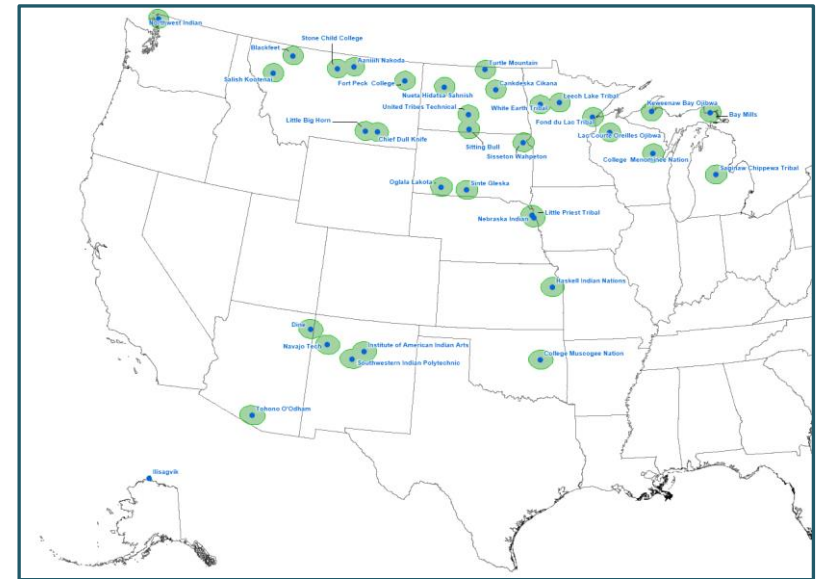


Figure 2. Tribal Colleges and Universities (AIHEC, 2018)





April 15, 2020

The Honorable Mitch McConnell
Majority Leader
United States Senate
Room S-230, The Capitol
Washington, D.C. 20510

The Honorable Chuck Schumer
Minority Leader
United States Senate
Room S-204, The Capitol
Washington, D.C. 20510

Re: COVID-19 Recovery Legislative Proposal (Phase #4)

Dear Speaker Pelosi and Minority Leader McCarthy:

This letter is on behalf of the undersigned American Indian and Alaska Native (AI/AN) organizations, which collectively serve all 574 federally recognized AI/AN tribal nations. The recommendations outlined in this letter encompass critical funding and policy needs to help protect and prepare AI/AN communities to effectively respond to the current 2019 novel coronavirus (COVID-19) pandemic.

As the urgency, infection rate, and death toll of the COVID-19 pandemic intensifies, it has become increasingly clear that Indian Country needs significantly more resources to protect and preserve human life and address the grave economic impacts tribal nations face due to the closure of government operations and tribal enterprises to protect the health of their citizens and surrounding communities. AI/AN communities are disproportionately impacted by the health conditions that the Centers for Disease Control and Prevention (CDC) notes increase risk for a more serious COVID-19 illness, including respiratory illnesses, diabetes, and other health conditions. We urge you to include the following recommendations as you work on a phase 4 package to stem the COVID-19 pandemic. In addition to the specific funding and policy requests outlined below, tribal nations are strongly urging maximum flexibility in the use of new and existing funds to be able to comprehensively address COVID-19 response efforts.

This letter is one of three letters addressing: economic development and employment; tribal governance and housing/community development; and health, education, nutrition, and human services. The language included in this letter covers the health, education, nutrition and agriculture, and human service needs for Indian Country. For your convenience, we have created an abbreviated list to coincide with the specific funding and policy requests found later in the letter. This abbreviated list previews how the letter is organized.

The summary list of funding and policy requests begins on the following page.

Health

Health Section 1: Critical Funding and Access Needs..... Pg. 7

- Provide \$1 billion for Purchased/Referred Care (PRC).
- Provide \$1.215 billion for Hospitals and Health Clinics.
- Establish a \$1.7 billion Emergency Third-Party Reimbursement Relief Fund for IHS, Tribal Programs, and Urban Indian Organizations.
- Provide \$85 million for equipment purchases and replacements.
- Provide \$161 million for Urban Indian Health.

Health Section 2: Critical Infrastructure..... Pg. 12

Provide \$2.5 billion for Health Care Facilities Construction to include support for new and current planned projects, the Small Ambulatory Health Center Program, and the Joint Venture Construction Program.

- Provide \$1 billion for Sanitation Facilities Construction.
- Provide \$750 million for maintenance and improvement of Indian Health Service and Tribal facilities.

Health Section 3: Technical Medicaid/Medicare Fixes..... Pg. 15

- Authorize Medicaid reimbursements for Qualified Indian Provider Services and Urban Indian Organizations.
- Provide reimbursements for services furnished by Indian Health Care Providers outside of an IHS or Tribal Facility.
- Ensure parity in Medicare reimbursement for Indian Health Care Providers.
- Include pharmacists, licensed marriage and family therapists (LMFTs), licensed professional counselors, and other providers as eligible provider types under Medicare for reimbursement to IHS, Tribal health programs, and Urban Indian Organizations.

Health Section 4: Technical Amendments Needed..... Pg. 19

Expand telehealth capacity and access in Indian Country by permanently extending waivers under Medicare for the use of telehealth and enacting certain sections of the CONNECT to Health Act.

- Make the IHS Scholarship and Loan Repayment Program tax exempt.
- Implement ways to facilitate interagency transfers of funding that tribal nations can access to address COVID-19 and its impacts so that funding can be disbursed to tribal nations quickly.
- Implement ways to disburse funding to tribal nations using existing funding mechanisms already in place when possible.
- Provide Tribal and UIO access to the Strategic National Stockpile.
- Provide Tribal and UIO access to the Public Health Emergency Fund.

Health Section 5: Legislative Amendments and Reauthorizations..... Pg. 23

- Move Contract Support Costs to mandatory appropriations.
- Move 105(l) lease agreements to mandatory appropriations.
- Permanently reauthorize the Special Diabetes Program for Indians with automatic annual adjustments tied to medical inflation, and permit tribes and tribal organizations to receive funds through Self-Determination contracts or Self-Governance compacts.
- Provide mandatory appropriations for Village Built Clinics.

Education

Education Section 1: K-12 Educational Needs..... Pg. 26

- Authorize Tribally Controlled Grant Schools to access Federal Employee Health Benefits (FEHB).
- Ensure that a tribal state of emergency is included in the definition of a qualifying emergency.
- Ensure access to healthy meals for all students that are impacted by school closures and have no other means to get these meals.

Education Section 2: K-12 Education Infrastructure and Broadband Needs..... Pg. 28

- Provide \$115 million for wireless hotspots for BIE students and teachers as an immediate solution to school closures.
- Provide \$60 million for laptops for BIE students and teachers as an immediate solution to school closures.

Education Section 3: Higher Educational Needs..... Pg. 29

- Provide an additional \$7 million in the Interior-Bureau of Indian Education account to meet the immediate and critical needs of Tribal College and Universities (TCUs).

Education Section 4: Education Infrastructure and Broadband Needs..... Pg. 30

- Authorize Tribal Colleges and Universities as eligible to participate in the E-Rate program.
- Establish a \$16 million TCU set-aside in the USDA-Rural Utilities Service Program using existing funds.
- Provide at least \$500 million in the Interior-BIE account for a TCU Deferred Maintenance & Rehabilitation Fund, as authorized under the Tribally Controlled Colleges and Universities Assistance Act.

Nutrition and Agriculture

Nutrition and Agriculture Section 1: Critical Funding and Access Needs..... Pg. 31

- Clarify CARES Act Food Distribution Program on Indian Reservations (FDPIR) funding covers administrative costs, reimbursement of emergency food purchases, and authorizes FDPIR Indian Tribal Organizations to procure food locally and regionally; waive the non-federal cost share requirements; and allow for necessary administrative flexibility for verifications, certifications, and service.
- Temporarily waive the prohibition on dual use of the Supplemental Nutrition Assistance Program (SNAP) and FDPIR during the same month.
- Provide assistance to Farm Service Agency (FSA) borrowers for relief and implementation of policies to provide support for tribal producers and entities.
- Increase the SNAP maximum benefit available to all households by 15 percent and the minimum benefit from \$16 to \$30 and delay implementation of the proposed and final SNAP rules.
- Provide parity and eligibility for tribal governments and Indian Tribal Organizations in the Emergency Food Assistance Program (TEFAP).
- Adequately Fund the Federally Recognized Tribes Extension Program (FRTEP) at \$30 million.
- Provide for agriculture lending through Community Development Financial Institutions (CDFIs).
- Create a COVID-19 Perishable Products Loss Fund due to market disruption.

Nutrition and Agriculture Section 2: Infrastructure Funding and Broadband Needs..... Pg. 35

- Create a 15 percent tribal set aside in the USDA ReConnect Broadband program and Distance Learning and Telemedicine Grant Program to enhance broadband access and long-distance healthcare in Indian Country.
- Increase funding for tribal-specific projects under all USDA Water and Environmental Grant Programs by \$200 million.
- Expand the use and increase funding for the Rural Development (RD) Community Facilities Programs.
- Provide tribal specific funding for the Local Access Market Programs (LAMP).
- Expand USDA RD programs Substantially Underserved Trust Area (SUTA) designation to all programs at RD to support tribal priority.
- Enhance Natural Resources Conservation Service (NCRS) programing for tribal producers, including: full advanced payments for socially disadvantaged producers; remove/waive requirements of one year prior control, the need for a Conservation Stewardship Program technical service provider, and compensation to former lessees of tribal lands for the installation of existing conservation practices; and ease requirements for beginning farmers/ranchers.

Human Services

Human Services Section 1: Temporary Assistance for Needy Families (TANF) Pg. 37

- Appropriate funding in the amount of \$2 billion to the TANF Contingency Fund (TCF) and allow tribal nations access in order to meet the significant needs of Tribal TANF recipients.
- Create and provide \$5 billion to a TANF Emergency Fund similar to the fund created in the American Recovery and Reinvestment Act (ARRA) with a waiver of non-federal contribution for tribal nations and flexibility for tribal nations to spend in areas specific to each tribal grantee.

Human Services Section 2: Veterans..... Pg. 38

- Require the Veterans Health Administration (VHA) to reimburse IHS and tribal nations for services under PRC.
- Exempt Native veterans from copays and deductibles at VHA facilities.
- Authorize UIOs as eligible for VA reimbursement.

Human Services Section 3: Indian Child Welfare Services..... Pg. 39

- Provide \$30 million for tribal governments under Title IV-B, Subpart 1 of the Social Security Act.
- Provide \$45 million for tribal governments under Title IV-B, Subpart 2 of the Social Security Act to be divided as follows:
 - \$20 million to mandatory funding for tribal nations.
 - \$20 million to discretionary funding for tribal nations.
 - \$5 million to the Tribal Court Improvement Project.
- Provide \$20 million for tribal governments under Title IV-E Chafee funds.
 - Authorize language allowing tribal nations to directly access the Social Services Block Grant Program by establishing a 5 percent tribal nation set aside in the statute.

Thank you for your consideration of the recommendations outlined in this letter. We look forward to working with you to ensure that Indian Country's concerns and priorities are comprehensively addressed, as we respond to the COVID-19 pandemic.

Sincerely,

National Congress of American Indians
National Indian Health Board
National Council of Urban Indian Health
Self-Governance Communication & Education Tribal Consortium
National Association of Food Distribution Programs on Indian Reservations
Native Farm Bill Coalition
Intertribal Agriculture Council
National Indian Education Association
American Indian Higher Education Consortium
National Indian Child Welfare Association
United South and Eastern Tribes Sovereignty Protection Fund

Kevin J. Allis
Chief Executive Officer
National Congress of
American Indians

Stacy Bohlen
Chief Executive Officer
National Indian Health Board

Francys Crevier
Executive Director
National Council of Urban
Indian Health

W. Ron Allen
Tribal Chairman/CEO
Jamestown S'Klallam Tribe

President of the Board
SGCETC

Mary Greene Trottier
President
National Association of Food
Distribution Programs on
Indian Reservations

Zach Ducheneaux
Executive Director
Intertribal Agriculture Council
&
Co-Chair
Native Farm Bill Coalition

Marita Hinds
President
National Indian Education
Association

Carrie L. Billy
President & CEO
American Indian Higher
Education Consortium

Sarah Kastelic
Executive Director
National Indian Child Welfare
Association

Chief Kirk Francis
President
United South and Eastern
Tribes Sovereignty Protection
Fund

Education

Education Section 1: K-12 Educational Needs

- **Authorize Tribally Controlled Grant Schools to access Federal Employee Health Benefits (FEHB).**

Background: Tribally controlled grant schools operate pursuant to the Tribally Controlled Schools Act of 1988, Pub. L. 100-297 (TCSA) and the Indian Self Determination and Education Assistance Act of 1975 (ISDEAA), as amended, and are funded by the Bureau of Indian Education (BIE). Many of these facilities operate under tremendous daily pressure due to years of chronic underfunding and under-resourcing. These conditions are being exacerbated by the COVID-19 pandemic. Without intervention, these schools may incur irreparable financial harm that will directly affect their ability to provide educational opportunities to vulnerable and at-risk Native youth. A simple way to free up hundreds of thousands of dollars – or more – per school in resources that can be redirected to COVID-19 response efforts, like ensuring tele-education services are available, and teachers and staff are paid, is by authorizing tribally controlled grant schools to access FEHB for providing health insurance to their employees. A one-line amendment to the Indian Health Care Improvement Act would directly benefit these schools by allowing them to access lower cost insurance options for their employees at significant overall savings – a benefit that is already provided at all other BIE system schools.

Legislative Text*:

Section 409 of the Indian Health Care Improvement Act (25 U.S.C. 1647b) is amended by inserting “or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.)” after “(25 U.S.C. 450 et seq.)”.

*This text has already been cleared by the Senate Committee on Indian Affairs, the House Natural Resources Committee, and the House Committee on Oversight and Reform.

- **Ensure that a tribal state of emergency is included in the definition of a qualifying emergency.**

Background: As drafted, the Supporting Students in Response to Coronavirus Act (S. 3489) includes a state of emergency declared by governors of states and territories in the definition of a qualifying emergency. Schools in areas where a tribe has declared a state of emergency must also be eligible for funding under this Act to ensure equity in access to funding for critical emergency programs that support the needs of Native students during the coronavirus outbreak.

Legislative Text:

Page 3, line 24; Page 21, line 23; Page 46, line 13 - Add “or appointed tribal leader” after “territory”

- **Ensure access to healthy meals for all students that are impacted by school closures and have no other means to get these meals.**

Background: Due to high rates of participation in the National School Lunch and Breakfast Programs, Native students are disproportionately impacted by school closures that limit access to healthy meals. 510,000 AI/AN students across the country are eligible to receive free or reduced lunches. Participation is even higher in rural and reservation areas, where 48 percent of eligible rural Native students attend schools where more than 75 percent of students receive free and reduced

lunches. Families often rely on such programs to provide affordable and healthy meals for their children throughout the school year. All students, including Native students, must continue to have access to meals that support their health and wellbeing during a public health emergency.

Education Section 2: K-12 Education Infrastructure and Broadband Needs

- **Provide \$115 million for wireless hotspots for BIE students and teachers as an immediate solution to school closures.**

Background: Limited broadband access in Native communities continues to hamper efforts to provide effective culture-based virtual education options for Native students, particularly those that attend Bureau of Indian Education schools. In 2017, the National Center for Education Statistics reported that 36 percent of Native students nationwide did not have internet access in their homes, compared to 17 percent of white students and 18 percent of students nationwide. A 2019 report from the Center for Indian Country Development at the Federal Reserve Bank of Minneapolis further clarified that this effect is more pronounced on tribal lands, where only 61 percent of households have broadband access, compared to the 70 percent average in the typical county that overlaps a reservation and the 69 percent nationwide average. Due to lack of internet access at home, BIE schools serving students on and near tribal lands have struggled to implement virtual education options during the novel coronavirus outbreak. Wireless hotspots provide essential internet service for Native students to continue core educational programs through virtual learning tools until it is safe to return to the classroom.

- **Provide \$60 million for laptops for BIE students and teachers as an immediate solution to school closures.**

Background: Bureau of Indian Education (BIE) schools have long been underfunded, resulting in outdated technology, infrastructure, and computer equipment. As a result, many schools do not have enough, if any, laptop computers to send home with students, educators, and staff to continue education in a virtual classroom. Native students must have the same access to resources as other students to ensure that current achievement and opportunity gaps do not widen due to the COVID-19 outbreak. Immediate appropriations are necessary to ensure that each student and educator at Bureau-funded schools have access to essential educational tools during this unprecedented time.

Education Section 3: Higher Educational Needs

- **Provide an additional \$7 million in the Interior-Bureau of Indian Education account to meet the immediate and critical needs of Tribal College and Universities (TCUs).**

Background: The nation's 37 TCUs already have incurred significant costs related to closing and securing campuses, ensuring that students are able to relocate off campus or shelter in place with safety patrols, and begin the first phase of online courses. Virtually all TCUs are moving to online instruction and closing their physical campuses, due to tribal or state directives. TCUs face immediate challenges in addressing: (a) career and technical courses, which often cannot be converted to online courses; (b) professional development and course redesign for faculty; (c) equipment for online delivery of courses; and (d) lack of internet access in students' homes.

The best estimate of the immediate and short term (8-10 weeks) costs that TCUs have and will incur is \$745,520/institution, for a total of \$26,838,720. In the CARES Act, TCUs received \$20M. An additional \$7 million is needed to more adequately address TCU immediate/short-term needs.

Education Section 4: Higher Education Infrastructure and Broadband Needs

- **Authorize TCUs as eligible to participate in the E-Rate program.**

Background: Congress should amend the Telecommunications Act to designate TCUs as eligible entities to participate in the federal E-rate program. This is a low cost, long-term solution to part of the digital divide/homework gap in Indian Country. If TCUs were already part of the E-rate program, the mobile hot spots needed to address the “homework gap” on many reservations already would be in place. The cost is estimated to be \$8 million per year. This is a modest request compared to the amount of funding available to the E-rate program. (The current annual funding cap is \$4.15 billion, of which barely half has been spent this year.) It is important to note that any program to provide tax credits to existing Internet Service Providers for providing free internet access to students provides little or no help in Indian Country because the IT infrastructure does not exist.

- **Establish a \$16 million TCU set-aside in the USDA-Rural Utilities Service Program using existing funds.**

Background: Congress may be reluctant to amend the Telecommunications Act to designate TCUs as eligible entities to participate in the federal E-rate program, even though such action would be efficient and low-cost. As an alternative, Congress could establish a \$16 million per year set-aside for TCUs under the USDA-Rural Utilities Service. Over the past several years, funding has gone unused in the program. A \$16 million set-aside for TCUs, which are the 1994 Land-grant institutions, could be established using existing funds and, therefore, would be at no additional cost.

- **Provide at least \$500 million in the Interior-BIE account for a TCU Deferred Maintenance and Rehabilitation Fund, as authorized under the Tribally Controlled Colleges and Universities Assistance Act.**

Background: The American Indian Higher Education Consortium recently conducted a survey of 22 TCUs, which revealed a list of chronic facilities-related needs, including student and faculty housing, classrooms, libraries, and laboratories. The 22 TCUs have an estimated total need of \$332.5 million in deferred maintenance and rehabilitation and need \$558 million to fully implement existing master plans. Extrapolating this to all 37 TCUs, the total current need is: Deferred Maintenance/Rehabilitation: \$500 million; and Completion of Master Plans: \$837 million.

United States Senate
WASHINGTON, DC 20510-2310

May 21, 2020

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Charles E. Schumer
Minority Leader
United States Senate
Washington, DC 20510

The Honorable Richard Shelby
Chairman
Committee on Appropriations
United States Senate
Washington, DC 20510

The Honorable Patrick Leahy
Ranking Member
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Leader McConnell, Leader Schumer, Chairman Shelby, and Ranking Member Leahy,

We write regarding the impact of the COVID-19 pandemic on Tribal Colleges and Universities (TCUs) and to request that you provide at least \$65 million in emergency funding relief in the Department of the Interior-Bureau of Indian Education account in the forthcoming legislative package to help these institutions. The COVID-19 pandemic has acutely affected both Indian Country and higher education institutions, and TCUs need additional federal support to continue serving students and adapting to challenging circumstances.

The nation's TCUs offer culturally-appropriate postsecondary education and workforce training opportunities in underserved and geographically-isolated areas where poor broadband connectivity exists. An average student at a TCU is often older than the traditional college student, and may include single heads of households that are seeking to provide a better future for their families. TCUs offer these students a chance to develop the necessary skills to succeed in the workforce while also allowing them to continue attending to their family and community responsibilities. TCUs already subsist on limited funding below the level authorized in the Tribally Controlled Colleges and Universities Assistance Act [25 U.S.C. 1801 et seq.], and the COVID-19 pandemic has created further need for support for students, faculty and staff.

Funding for the basic institutional operations of the tribally chartered institutions funded under Title I of the Act is enrollment driven, based on a per Indian student allocation, known as the Indian Student Count (ISC). TCUs across the country anticipate severe drops in enrollment as students are forced to discontinue their studies in favor of increased work hours to support their families. Additionally, TCUs are working diligently to adapt to remote learning, but many TCU students will be unable to participate in online courses because they lack internet connectivity. Across Indian Country, access to internet remains very low; a 2016 FCC Broadband Progress Report found that 68 percent of rural Tribal residents have no access to

United States Senate
WASHINGTON, DC 20510-2310

broadband.¹ As a result, projected declines in enrollment over the next few months will make it increasingly difficult for TCUs to continue basic institutional operations.

TCUs also receive support from chartering Tribal governments, most of which are suffering from the extreme public health and economic impacts of the COVID-19 pandemic. Tribal governments are facing dramatic losses in revenue from gaming and other Tribal enterprises, and remaining resources must be diverted to COVID-19 response measures, such as Tribal health and safety net programs. Tribal governments will not be able to fully support TCUs, yet the needs of TCUs are more urgent than ever.

Finally, many TCUs have canceled summer instruction to allow faculty and staff to train in online/distance learning, advising, and assessment, which are all requirements to maintain accreditation. As TCUs continue to quickly respond and adapt to this pandemic, TCUs are being forced to stretch limited budgets even further. We urge you to provide at least \$65 million in the Department of the Interior, Bureau of Indian Education account to help Tribal Colleges and Universities provide basic access to online education and to recover from these projected losses.

Your support for urgent funding will allow TCUs to continue serving students in Indian Country. Thank you for your consideration of our request and your work on these important issues.

Sincerely,

/s/ Tina Smith
/s/ Kevin Cramer
/s/ Jon Tester
/s/ Elizabeth Warren
/s/ Kyrsten Sinema
/s/ Martin Heinrich
/s/ Amy Klobuchar
/s/ Debbie Stabenow
/s/ Bernard Sanders
/s/ Tammy Baldwin
/s/ Brian Schatz

¹ <https://docs.fcc.gov/public/attachments/FCC-19-44A1.pdf>



April 4, 2020

The Honorable Nita Lowey
Chairwoman
House Committee on Appropriations
H-307 The Capitol
Washington, DC 20515

The Honorable Kay Granger
Ranking Member
House Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515

Dear Chairwoman Lowey and Ranking Member Granger:

We, the undersigned organizations, collectively represent a group of institutions of higher education (IHEs) that are eligible to receive financial assistance under Titles III and V of the *Higher Education Act of 1965* (HEA). More specifically, we advocate on the behalf of Historically Black Colleges and Universities (HBCUs); Tribal Colleges and Universities (TCUs); Hispanic-Serving Institutions (HSIs); Predominantly Black Institutions (PBIs); Alaska Native-Serving Institutions and Native Hawaiian-Serving Institutions (ANNH); Native American-Serving, Nontribal Institutions (NASNTIs); and Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs).

We are sincerely grateful for the allocation of **\$1.046 billion** in H.R. 748, the Coronavirus Aid, Relief, and Economic Security (CARES) Act for our institutions and greatly appreciate the waiver language and other opportunities for our institutions to gain access to resources to offset unanticipated costs and better meet the needs of their students in the wake of the ongoing health emergency. It is our understanding that Congress is in the process of putting together a fourth stimulus package that would continue to provide relief to industries impacted by the virus named “SARS-CoV-2” causing a disease named “coronavirus disease 2019” (COVID-19).¹ As you may know, the higher education sector, though recently given funding and flexibility in the CARES Act, is at the forefront of industries negatively impacted by COVID-19, and any ill effects suffered by IHEs will directly impact their students. Indeed, because our institutions enroll a high number of

¹ U.S. Health and Human Services, Centers for Disease Control and Prevention. (2020). *Coronavirus Disease 2019 (COVID 19)*. Retrieved from <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/summary.html>

low-income, first-generation college students and are under-resourced relative to IHEs ineligible for funding under Titles III and V, the negative impacts our institutions experience are exponentially multiplied. With this being said, we would like for you to consider the requests below when developing a fourth stimulus package.

1. Include a waiver of the allowable uses in the Minority Science Engineering and Improvement Program.

The Minority Science Engineering and Improvement Program (MSEIP) is a program that allows our institutions to receive grants to do things such as develop faculty programs and curriculum materials to improve the science and engineering education on our campuses and to increase the participation of underrepresented minorities in science and technological careers.² The CARES Act allows the Secretary of Education to waive allowable uses for grants awarded under Part A or B of Title III, Chapter I or II of Subpart 2 of Part A of Title IV, Title V, or Subpart 4 of Part A of Title VII of the HEA. While we thank Congress for responding to our request to allow for the flexibility of allowable uses of current grant funds in the aforementioned areas of the HEA, we also request for this flexibility in MSEIP. It is our belief that Congress intended to grant institutions maximum flexibility to respond to the changed circumstances and altered needs of students as a consequence of COVID-19, and we want to ensure that our institutions can utilize any and all available resources.

2. Include a technology fund to allow students to access broadband.

Over 6 million students attend our institutions with a majority of these students being from low-income households. While the E-rate program exists in the Universal Service Fund, this program is primarily for students in k-12 education and does not include low-income students attending postsecondary education. In the CARES Act, our institutions were given the ability to utilize resources to purchase technological equipment for our students to help them complete their assignments online; participate in virtual counseling; receive mentoring and tutoring services online; and complete other required tasks in relation to their academic program through distance education. While access to equipment is important, so is access to broadband. According to an article released by the Pew Research Center, “roughly three-in-ten adults with household incomes below \$30,000 a year (29%) don’t own a smartphone... and [m]ore than four-in-ten [adults] don’t have home broadband services (44%) or a traditional computer (46%).”³ It is imperative that our students have the ability to access broadband to allow them to continue their academic program and complete their education.

3. Provided \$6.5 billion in research and development funding for HBCUs, TCUs, HSIs, PBIs, and other Minority-Serving Institutions.⁴

Academic research is the cornerstone for the advancement of our nation’s economy and stability. Considering the current crisis, it is imperative that we have leading academics at

² The MSEIP program can be found in Title III, Part E of the HEA.

³ Anderson, M., & Kumar, M. (2019, May 7). *Digital divide persists even as lower-income Americans make gains in tech adoption*. Pew Research Center. Retrieved from <https://www.pewresearch.org/fact-tank/2019/05/07/digital-divide-persists-even-as-lower-income-americans-make-gains-in-tech-adoption/>

⁴ Other Minority-Serving Institutions include ANNH, NASNTIs; and AANAPISIs.

front lines conducting the needed research to combat future pandemics and solve for other potential health crisis. According to the most recent data, all IHEs received a funding total of \$79.436 billion dollars of research and development (R&D) funding in 2018 with \$42.018 billion coming from the federal government.⁵ Of these institutions, our institutions received significantly less funding. For instance, HBCUs received a total of \$534.045 million dollars in overall R&D funding with \$400.349 million coming from the federal government, equating to only 0.67 percent of total funding.⁶ Also, TCUs received \$13.8 million of overall funding from the National Science Foundation (NSF), or less than one-fourth of one percent, compared to \$5.558 billion awarded by NSF in research and education funding to the nation's higher education institutions.⁷ Even institutions that meet the 25 percent Hispanic enrollment requirement but do not necessarily qualify for eligibility of Title V funds received a total of \$5.902 billion dollars in funding with \$2.563 billion coming from the federal government, equating to 7.2 percent of total funding.⁸ The discrepancies in funding are obviously stark, and it is apparent that there needs to be more investment in research and development dollars for our institutions. In light of the foregoing, we ask for an investment of \$6.5 billion in R&D funding, which would equate to 15% of overall funding from the federal government, to be set aside for our institutions to boost our R&D resources and opportunities on our campuses. Considering our institutions represent no less than 15% of the total number of IHEs participating in Title IV, this ask seems more than reasonable.⁹

4. Do not allow for students to be counted as employees for small business loans in the CARES Act.

The CARES Act allows for IHEs with no more than 500 employees to apply for a loan in the Paycheck Protection Program or apply for an Economic Injury Disaster Loan (EIDL). One of the primary benefits to smaller IHEs is that they will be able to receive additional assistance if needed and even have the opportunity to receive an advance of up to \$10,000 in the EIDL program that they would then be able to utilize as a grant. These additional opportunities are great options for our smaller institutions, but we are concerned that student workers will be counted as an employee when determining eligibility for these loans. While these programs are already underway, we ask that it be made clear that students will not be counted as employees as this would remove a number of our smaller institutions that could benefit from these additional funding streams.

⁵ National Science Foundation. (2019). *Higher education R&D expenditures, by source of funds, R&D field, and survey population: FY 2018*. Retrieved from <https://ncesdata.nsf.gov/herd/2018/html/herd18-dt-tab001.html>

⁶ National Science Foundation. (2020). *Higher education R&D expenditures at historically black colleges and universities, ranked by all R&D expenditures, by source of funds: FY 2018*. Retrieved from <https://ncesdata.nsf.gov/herd/2018/html/herd18-dt-tab031.html>

⁷ National Science Foundation. (2020). *Survey of Federal Science and Engineering Support to Universities, Colleges, and Nonprofit Institutions Fiscal Year 2017*. Retrieved from <https://ncesdata.nsf.gov/jedsupport/2017/>

⁸ National Science Foundation. (2020). *Higher education R&D expenditures at high-Hispanic-enrollment institutions, ranked by all R&D expenditures, by source of funds: FY 2018*. Retrieved from <https://ncesdata.nsf.gov/herd/2018/html/herd18-dt-tab033.html>

⁹ According to the most recent eligibility matrix produced by the Department of Education, a total of 1,099 institutions are eligible to receive funding in Titles III and V out of a total of 7,021 Title IV institutions.

5. Invest \$10 billion in infrastructure funding for HBCUs, TCUs, HSIs, PBIs and other Minority-Serving Institutions.

Due to our institutions being woefully under-resourced, enrolling a large number of low-income, first-generation college students, and being mostly tuition dependent, it is critical that they are included in any funding proposal to boost the infrastructure in our nation. Prior proposals that have been introduced focused a great deal on boosting infrastructure funding for k-12 education and remained silent for the higher education sector. Our institutions have dire infrastructure needs that often go unmet due to limited resources and the prioritization of ensuring there are quality academic programs at the risk of quality infrastructure. For example, HBCUs, TCUs, HSIs, and AANAPISIs collectively comprise 800 of the nation's higher education institutions and enroll, and graduate, more than 4.8 million undergraduate students in the country. They are an essential part of America's higher education system and their unique strategic locations are mostly in the areas in which their roads, bridges, waterways, airports and other infrastructure serve as the gateways to American commerce. These institutions graduate a disproportionate percentage of the growing populations in America who are receiving degrees in the sciences, technology, engineering, mathematics, and other critical education and training required to improve our infrastructure. In some cases, our students are unable to benefit from the latest technology, lab equipment, upscale classrooms, libraries, and academic facilities simply due to funding. Overall, all of our institutions can lead in realizing the shoring up of the Nation's infrastructures; energizing communities; and seeding intellectual, scientific, technological, and economic capital with the right institutional infrastructures and financial resources. While our institutions are appreciative of the ability to use their Titles III and V dollars to address some of these inequities, more is needed to position our institutions to realize their infrastructure needs and to lead America's infrastructure, technological and economic needs.

6. Invest an additional \$1 billion in emergency funding for HBCUs, TCUs, HSIs, PBIs and other Minority-Serving Institutions.

Given the ongoing uncertainty around the duration of the COVID-19 health emergency and the true impacts this situation will have on IHEs and their students, we are asking that you invest an additional \$1 billion in our institutions. These additional funds will allow them to access the resources necessary to continue to provide quality academic instruction and learning experiences to their students notwithstanding this challenging environment. After reviewing the formula in the CARES Act and doing our own calculations of what each of our institutions would likely receive in emergency aid, there was an immediate realization that the allocated amount was quickly reduced in the reality of dollars going to each of our institutions. Again, we cannot be more grateful for the \$1.046 billion dollar investment in our institutions through the CARES Act, but we can readily anticipate that, in short order, our institutions will begin to see negative side effects such as declines in enrollment and declines in auxiliary revenues, which then will decrease their ability to provide their students with the level of service they need to complete their program of study in a fulsome and timely way and, as such, be competitive in the marketplace.

We thank you for your favorable consideration of this request.

Sincerely,



Michael L. Lomax
President and CEO
UNCF



Harry L. Williams
President and CEO
TMCF



Lezli Baskerville
President and CEO
NAFEO



Antonio R. Flores
President and CEO
HACU



Carrie L. Billy
President and CEO
AIHEC



Rita Pin Ahrens
Executive Director
OCA-Asian Pacific American Advocates

Cc:

The Honorable Bobby Scott
Chairman
House Committee on Education and Labor

The Honorable Virginia Foxx
Ranking Member
House Committee on Education and Labor

The Honorable Frank Pallone
Chairman
House Committee on Energy and Commerce

The Honorable Greg Walden
Ranking Member

House Committee on Energy and Commerce

The Honorable Nydia M. Velázquez
Chairwoman
House Committee on Small Business

The Honorable Steve Chabot
Ranking Member
House Committee on Small Business

April 30, 2020

The Honorable Mitch McConnell
Majority Leader
United States Senate
S-226, United States Capitol
Washington, DC 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
S-255, United States Capitol
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
H-232, United States Capitol
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
H-204, United States Capitol
Washington, DC 20515

RE: Support for COVID-19 Relief and Recovery via Agriculture Research, Education, and Extension

Dear Leader McConnell, Minority Leader Schumer, Speaker Pelosi, and Minority Leader McCarthy:

Thank you for your extraordinary work in passing the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The legislation provides critical support to Americans as we continue to combat this global pandemic. This crisis underscores the importance of the agricultural sector. Our nation's ongoing commitment—at federal, state, and local levels—to a robust, safe, affordable, and accessible food supply is paramount.

As Congress considers the next supplemental appropriations package, we urge you to provide the necessary resources to our agricultural research, education, and extension system and specifically ask for \$380 million for the USDA *National Institute of Food and Agriculture (NIFA)*.ⁱ This request reflects a commitment to agriculture, families, businesses, and communities. It includes **\$300 million of job-saving support for capacity and competitive research**¹ and is consistent with the research community's broader recommendations² across the science agencies. These funds will ensure research crucial to our agriculture and food systems is not lost due to pandemic-related delays and disruptions in data collection. The synergy between research and extension is essential.

The request also supports an **\$80 million request for the Cooperative Extension System** to meet the direct needs of the public related to spread of, and recovery from, COVID-19. Finally, dramatic disruptions to our research talent pipeline, including the facilities and equipment that support it, will require additional support. We are working to identify research, infrastructure, and workforce areas of national importance and share them with Congress.

Supporting Job-saving Supplemental Funding for Research Capacity

Regarding research capacity and competitive programs, we ask that Congress provide at least \$300 million of job-saving supplemental funding for 1) ramp-down and ramp-up costs to close and restart research activities; 2) salaries, benefits, and other costs associated with retaining research, technical, and work-study personnel; 3) research specific to COVID-19; and 4) core facilities supporting NIFA

¹ Hatch and Evans Allen research capacity funding, Agriculture and Food Research Initiative (AFRI), McIntire-Stennis forestry research, Tribal Colleges Research Grants Program (TCRGP) as well as other critical accounts.

² AAU, APLU, AAMC, and ACE COVID-19 Research [Recommendations](#)

research. The COVID-19 pandemic is disrupting lab- and field-based research activities. In some cases, this stoppage will create a year or more of delay in critical agricultural research, disrupting the talent pipeline for agri-business and food supply chains.

Supplemental funding will support capacity and competitive grant activities for up to 12 months for existing grantees and institutions managing programs in the Research and Education, Integrated Activities, and Farm Bill Mandatory Accounts. These programs fund high-caliber research through State Agricultural Experiment Stations, Agriculture and Food Research Initiative (AFRI), and other critical research accounts across the U.S. agriculture, food, and natural resource sectors. Supplemental funding is needed to sustain our research and innovative capabilities. These capabilities underpin a highly responsive agriculture enterprise that allows the U.S. to pivot to address emerging threats to the global and domestic food supply, public health, and rural economic development.

Accelerating the United States' Cooperative Extension System Service and Response

The Cooperative Extension System (CES) is part of the 112 land-grant institutions located throughout the nation. Cooperative Extension System educators and agents have built long-lasting and trusted partnerships with individuals, community organizations, and local businesses. There is an increased need to reach people in their homes, making it imperative that Cooperative Extension increase its capability to virtually provide essential programming and engagement services in ways that can effectively reach clientele who have varying degrees of access to adequate broadband.

We request \$80 million for the Cooperative Extension System to meet the direct needs of the public related to the spread of, and recovery from, COVID-19. The funding would be allocated through Smith Lever and 1890s Institution Extension capacity programs, as well as through an ongoing contract for the NIFA New Technologies for Ag Extension (NTAE). The NTAE provides technical assistance to Extension agents and educators for effective delivery of virtual extension programs including educational and meeting platforms, training on new meeting formats, and customized support for scaling programs. NTAE will provide 1994 tribal colleges with financial support and assistance.

This supplemental funding will enable CES educators and agents to: collaborate with emergency responders; develop innovative educational materials; assist business owners with loans and supply chain options; connect families to information on telemedicine, food, financial health and methods of socialization; support farmers and businesses; provide seniors with support; and work with clientele to be successful during the upcoming recovery period. With enhanced virtual learning capabilities, Cooperative Extension can strengthen its service as an educational and community backbone for individuals, families, farms, businesses, and communities in the coming months and year.

Building Food System Resilience in a Post-Pandemic America

The rapid-moving COVID-19 crisis requires new state agricultural research infrastructure, facilities, and equipment to assist the country in understanding the short- and long-term impacts of the virus on our health, economy, and way of life. Federal investments to stimulate the agricultural research enterprise will be key to accelerating innovation and discovery across our science and economic supply chains and address current challenges while preparing for those yet to come.

Thank you in advance for considering our request.

Sincerely,

National

Academy of Nutrition and Dietetics
Agricultural and Applied Economics Association
Agricultural Stewardship Association
American Association for Agricultural Education
American Association of Family & Consumer Science
American Association of Mycobacterial Diseases
American Dairy Science Association
American Indian Higher Education Consortium
American Mushroom Institute
American Phytopathological Society
American Society for Horticultural Science
American Society for Microbiology
American Society for Nutrition
American Society of Agronomy
American Society of Animal Science
American Society of Plant Biologists
American Soybean Association
APLU Board on Agricultural Assembly
APLU Board on Human Sciences
Aquatic Plant Management Society
Association of American Universities
Association of American Veterinary Medical Colleges
Association of Public and Land-grant Universities
Charles Valentine Riley Memorial Foundation
Council for Agricultural Research, Extension, and Teaching
Council of Educators in Landscape Architecture
Crop Science Society of America
Ecological Society of America
Entomological Society of America
FASS
Forest Products Society
Forest Resources Association
Institute of Food Technologists
Joint Council of Extension Professionals Board of Directors
Mycobacterial Diseases of Animals - Multistate Initiative
National 4-H Council
National Alliance of Forest Owners
National Association for the Advancement of Animal Science
National Association of County Agricultural Agents
National Association of University Fisheries and Wildlife Programs
National Association of University Forest Resources Programs
National Association of Wheat Growers
National Coalition for Food and Agricultural Research
National Corn Growers Association
National Extension Association of Family & Consumer Sciences
National Onion Association
National Sunflower Association

National Sustainable Agriculture Coalition
Rural and Agriculture Council of America
Soil Science Society of America
Supporters of Agricultural Research
The Association of 1890 Research Directors, Inc.
The Wildlife Society
Union of Concerned Scientists
US Apple Association
US Dairy Forage Research Center Stakeholder Committee
Weed Science Society of America

Regional

Association of Northeast Extension Directors
Association of Southern Region Extension Directors
MidAtlantic Farm Credit
Mid-South Section, Forest Products Society
North Central Regional Association of Agricultural Experiment Station Directors
North Central Weed Science Society
Northeast Dairy Producers Association
Northeast Equipment Dealers Association
Northeastern Regional Association of State Agricultural Experiment Station Directors
Northeastern Weed Science Society
Northern Pulse Growers Association
Southeast Section, Forest Products Society
Southern Association of Agricultural Experiment Station Directors
Southern Weed Science Society
Western Association of Agricultural Experiment Station Directors
Western Society of Weed Science



July 2, 2020

The Honorable Lamar Alexander
Chairman
Committee on Health, Education,
Labor and Pensions
U.S. Senate
Washington, DC 20510

The Honorable Patty Murray
Ranking Member
Committee on Health, Education,
Labor and Pensions
U.S. Senate
Washington, DC 20510

Dear Chairman Alexander and Ranking Member Murray,

On behalf of the American Council on Education and the undersigned higher education associations, I am writing in response to questions that arose at your recent hearing regarding the costs involved in safely reopening college campuses this fall.

Colleges and universities were among the first segments of our society to close in response to the COVID-19 pandemic, and we are keenly aware of the unique symbolic, economic, and educational value of opening our campuses. As Chairman Alexander recently said, the “surest step back toward normalcy in our country is when 70-75 million college and high school and elementary school students go back to school.” Our institutions are committed to reopening in the fall and have previously submitted a request to Congress to help offset the financial challenges that students and colleges are facing. Bolstered by assistance from Congress, we will work to provide a quality education as safely and as expansively as possible.

Doing this will not be easy for institutions. As you know, colleges and universities face a complicated, constantly-shifting environment as they plan for the fall semester. Presidents and their staff are making decisions based on factors such as state and local requirements, local health conditions, and the unique circumstances of their students and campuses. Irrespective of the manner of instruction for the fall, all institutions are implementing measures to reopen physically when it is safe to do so.

In order to provide your committee with a better understanding of the scope of this challenge, we requested that our member institutions share their anticipated reopening costs. Dozens of institutions, collectively enrolling over 1.1 million students and including two-year and four-year; public and private; religious and secular; and rural, suburban, and urban locations responded. After analyzing that data, we estimate that colleges and universities will spend approximately \$74 billion to prepare for the fall semester.

The detailed financial information institutions provided covered eight categories of costs specific only to reopening safely in this environment. It did not include items that will

undoubtedly have significant impacts on institutions, such as declining state support, loss of charitable donations, enrollment declines, and financial need for students given the difficult financial environment. As a result, these estimates are conservative in nature and likely underestimate the actual financial challenge facing campuses.

Chairman Alexander recently noted that “when we go back to college...the country will begin to move back toward normalcy.” Colleges are similarly anxious to reopen for “normal” operations for the fall semester, and some schools have already announced plans to do so. But these openings will be unlike any others in the history of American higher education. All institutions will be adjusting to a new normal as a result of public health concerns necessitated by the COVID-19 pandemic. These changes will force campuses to spend money to alter and modify virtually every aspect of campus operations. In general, these expenses will fall into a few broad areas such as testing, tracing, cleaning, personal protection, and distancing. But even those categories fail to do justice the huge array of steps that schools are taking to make the educational experience as safe as possible. After consultation with our member institutions, we have compiled a list of at least 70 separately identifiable actions that schools are taking, which is appended to this letter.

Given the vast array of colleges in our country and the diversity of their campuses, it is understandable that each school’s circumstances are unique. Some institutions are so massive in size and physical plants that their individual costs can run into the tens of millions of dollars. Indeed, Mitch Daniels, president of Purdue University, recently testified before your committee that Purdue had purchased over a mile of plexiglass and estimated reopening costs would exceed \$50 million. These costs are no less onerous for smaller schools which, while responsible for fewer students, staff, and facilities, may not be able to leverage resources like larger institutions such as comprehensive medical centers can that could make testing and quarantining more affordable and accessible, as just one example of how these costs vary across institutions.

While residential institutions often face higher costs because they must prepare for students living on campus full-time, even institutions that adopt an online or hybrid approach will face significant additional expenditures. Schools expanding their online programs report significant new expenditures to upgrade campus IT systems; distribute laptops so that all students have sufficient access to courses; provide tutoring and health services remotely; convert library materials into online formats; retrofit classrooms for virtual instruction; and buy additional video equipment for live streaming. Other new expenses are far less obvious. For example, some schools have reported purchasing anatomage tables for their science programs, which allow students to engage in virtual dissections without a cadaver. These tables cost \$100,000 each.

No less important than the problems institutions are grappling with, it is critical to note that without adequate financial aid, many students will not be able to return to campus in the fall regardless of measures taken by institutions or the federal government.

More than 40 million Americans have lost jobs, and many of their families must soon decide whether they can afford to start or return to college in the fall. A recent National

Bureau of Economic Research study found that “(w)orking students suffered a 31% decrease in their wages and a 37% drop in weekly hours worked, on average. Moreover, roughly 40% of students lost a job, internship, or a job offer, and 61% reported to have a family member that experienced a reduction in income.” The study also found that “lower-income students are 55% more likely to delay graduation due to COVID-19.” A substantial amount of research has documented that low-income and first-generation students are the most likely to interrupt their educations during a severe economic downturn. For too many of these students, it is the end of their hopes and dreams for a postsecondary education.

Ensuring the safety of all members of our campus communities while reopening will be extraordinarily difficult. While presidents, faculty, and staff are committed to meeting the serious and unprecedented challenges before them, we know that those efforts will necessarily be limited by the dire financial circumstances’ schools are operating under. We hope this information will help inform your deliberations.

Thank you for your continued support of American higher education, and we look forward to working with you and your colleagues to help colleges and universities recover from this pandemic.

Sincerely,



Ted Mitchell
President

On behalf of:

Achieving the Dream
ACPA-College Student Educators International
American Association of Collegiate Registrars and Admissions Officers
American Association of Community Colleges
American Association of State Colleges and Universities
American Association of the Colleges of Nursing
American College Health Association
American Council on Education
American Dental Education Association
American Indian Higher Education Consortium
APPA, Leadership in Educational Facilities
Association of American Colleges and Universities
Association of American Universities
Association of Catholic Colleges and Universities

Association of Community College Trustees
Association of Governing Boards of Universities and Colleges
Association of Jesuit Colleges and Universities
Association of Public and Land-grant Universities
Association of Research Libraries
College and University Professional Association for Human Resources
Common App
Council for Advancement and Support of Education
Council for Christian Colleges & Universities
Council for Higher Education Accreditation
Council of Graduate Schools
Council of Independent Colleges
EDUCAUSE
NAFSA: Association of International Educators
NASPA - Student Affairs Administrators in Higher Education
National Association for College Admission Counseling
National Association of College and University Business Officers
National Association of College Stores
National Association of Colleges and Employers
National Association of Independent Colleges and Universities
National Association of Student Financial Aid Administrators
National Association of System Heads
Phi Beta Kappa Society
State Higher Education Executive Officers Association
UPCEA

Examples of Costs Incurred by Institutions

Personal Protective Equipment (PPE)

- Disposable masks (for guests)
- Washable cloth masks (for students and employees)
- Disposable gloves (medical and other staff; cleaning and lab use)
- Safety glasses (science classes)
- Face shields (for music students and instructors, studio students and instructors, some nursing labs)
- Gowns and coveralls
- Laundry charges to clean cloth masks
- Non-contact thermometers
- Keychain and lever tools

Cleaning and Sanitation Supply Costs

- Hand sanitizer, sanitation stations, and dispensing equipment
- Disinfectant wipes
- Gel soap and sanitizers
- Disinfectant spray and misters
- Disinfectant cleaning supplies
- Microfiber towels, paper towels, and other absorbents
- Residential clean kits with wipes, spray sanitizer, and gel hand sanitizers
- Sanitation tools

Testing Costs

- COVID-19 testing kits (both self-administered saliva and administered swab tests)
- Antibody tests
- Temperature check stations
- Forehead scanners
- Rapid volume scanners
- Symptomatic response testing for suspected COVID-19 cases

Contact Tracing Costs

- Software for COVID-19 symptom tracking and alert platforms
- Software for mobile apps
- Additional camera installation
- Keycard access points and other protocols to be utilized in contact tracing plans

Quarantine Protocol Costs

- Costs of housing for quarantined students, faculty, and staff
- Essentials for displaced students
- Housing for international students

- Thermometers, disposable food containers, and other materials
- Increased shipping and delivery costs for course materials, supplies and technology to students in dorms and off-campus
- Vehicles, drivers, and cleaning costs for transportation to quarantine sites

Technology Costs

- Distribution of laptops or other devices
- Touchless appliances and surfaces
- Bandwidth and connectivity stabilization
- Increased cyber security support
- Retrofitting classrooms for virtual instruction
- Webcams and microphone systems
- Additional virtual meeting platform licenses and additional virtual classrooms
- Remote support for students, faculty, and staff
- Video equipment for lecture capture and live streaming of events
- Academic equipment rentals
- Exam proctoring software
- e-tutoring services
- Library materials purchased for online format
- Additional data cabling and electric wiring

New Labor Costs

- Sanitation labor and dining overtime labor charges
- Enhanced custodial costs, including additional housekeepers
- Additional faculty
- Temperature takers
- Staff and training to perform safety and health checks
- Consultant and legal support
- Staff time to prepare documentation and consent forms for students to return to campus; addendums to housing contracts; addendums to Student Codes of Conduct; and updates of HR policies

HVAC and Air Filtration Improvement Costs

- HVAC labor and materials
- Filters and air handling equipment
- Air filtration stand-alone systems

Social-distancing Protocol Costs

- Sneeze guard materials and labor
- Plexiglass barriers, partitions, and stanchions
- Dining hall reconfiguration
- Residence hall reconfiguration, including retrofitting houses, clubs, and residence halls for single occupancy
- Renovations to common areas (including bathrooms) to accommodate social distancing

- Classroom reconfiguration
- Recreation and athletic reconfiguration
- Reconfiguring entrances and exits, including adding touchless doors
- Materials and furniture moving and storage costs
- Mobile desks for social distancing
- Additional card access to buildings
- New campus signage for mask reminders, COVID-19 symptoms, elevator capacity, temperature screening notice and instructions, etc.
- Increase in number of vehicles and drivers to insure social distancing
- Mobile flu and health clinic services

July 2, 2020

The Honorable Betsy DeVos
Secretary of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary DeVos:

On behalf of the undersigned higher education associations, we offer comments on the Interim Final Rule (IFR) for establishing student eligibility for emergency grants under the Coronavirus Aid, Relief, and Economic Security (CARES) Act published by the Department of Education (ED) on June 17, 2020 (Docket ID ED-2020-OPE-0078).

We share ED's desire to limit the potential for waste, fraud, and abuse in the campus-level administration of CARES Act emergency student grants. However, ED's approach in the IFR fails to focus on the environments where experience tells us such issues are most likely to occur. ED's rationale for further restricting eligibility for emergency grants does not reflect circumstances on our campuses or the immediate problems we believe Congress was attempting to address in the CARES Act and is not supported by the authorizing legislation. Indeed, two federal District Courts have ruled ED's approach violates the plain language of the CARES Act.

The IFR largely restates the guidance ED previously issued on April 21, but subsequently announced would not be enforced, with one major addition—a student grantee must be enrolled in a Title IV-eligible program. Thus, the IFR codifies the reversal of the Department's initial April 9 guidance, which had provided institutions with the discretion to distribute emergency grants to some or all of their students. Also on April 9, ED made available the Funding Certification and Agreement form, which institutions are required to use to request CARES Act funding, which also did not restrict student eligibility.

The new limitations rely on a strained interpretation of both the CARES Act and the Higher Education Act (HEA). In doing so, ED has effectively created a new Title IV student grant program and in the process has done little to alleviate the confusion, complexity, and delays it had previously created for campus administrators. Even more problematic, the IFR will delay and in many cases deny students the very emergency relief Congress intended to provide for them.

ED's new eligibility criterion for student emergency grants requires the student to be enrolled in a HEA Title IV-eligible program. However, the IFR Preamble discussion is silent on this topic, so there is no discerning ED's rationale.

It appears ED is using the student Title IV eligibility criteria in Section 484 of the HEA, in particular the provision that a student must "be enrolled or accepted for enrollment in a

degree, certificate, or other program ... leading to a recognized educational credential” at a Title IV-eligible institution, as the basis for this requirement.

However, ED cannot rely on this provision in this instance because Congress explicitly defined a Title IV-eligible program in Section 481 of the HEA. It is obvious, then, that a student can satisfy the Section 484 requirements yet be enrolled in an educational program that is not eligible for Title IV assistance. ED does not mention Section 481 in the IFR and has simply not explained its basis for this additional restriction on eligibility for student emergency grants.

Further, ED references several provisions in the CARES Act to rationalize its decision to require emergency grant recipients to satisfy the Title IV student aid eligibility requirements, even though nearly 8 million undergraduate, graduate, and professional students do not complete a Free Application for Federal Student Aid (FAFSA) every year. We do not agree with this rationale.

First, ED states that Congress implicitly said that emergency grants should be tied to the definition of the cost of attendance in Section 472 of the HEA. But this definition applies to all students, not just Title IV recipients. Further, the consumer information requirements in Section 485 of the HEA require campuses to disclose “the cost of attending the institution,” again without distinguishing between Title IV-aided students and non-recipients. All students have a cost of attendance, and the reference to the Section 472 definition provides no basis for restricting emergency grants to Title IV-eligible students.

Second, ED states, “...non-title IV aid can be subject to title IV eligibility requirements” and references a provision in the HEA authority for a non-Title IV program—the Fund for the Improvement of Postsecondary Education (FIPSE). However, that statutory provision explicitly states that students receiving funding from FIPSE must satisfy the student eligibility requirements in Section 484(a) of the HEA. The CARES Act has no such explicit reference. Therefore, we do not believe ED has a basis to use the FIPSE authority to restrict eligibility for CARES Act student emergency grants.

Third, ED states that one of the two components of the CARES Act formula that allocates approximately \$12.6 billion among institutions includes enrolled undergraduate students who are Pell Grant recipients. Because all Pell Grant recipients satisfy the student eligibility requirements in Section 484, ED concludes that all student emergency grant recipients must likewise satisfy Section 484 requirements.

However, the second component of the allocation formula encompasses all students, including the millions of students, particularly graduate and professional students, who do not qualify for Pell Grant support. ED’s inclusion of just one part of the institutional allocation formula as justification for its interpretation of student eligibility for emergency grants makes no sense.

Fourth, ED states it would be illogical for Congress to require Section 484 eligibility for certain CARES Act funding for students—the FIPSE-like allocation of 2.5 percent of the Higher Education Emergency Relief Fund (HEERF)—but not for all CARES Act funding for students. To the contrary, it is more logical—and likely—that this explicit reference reflects Congress’s

intention that some HEERF funding should be restricted by Section 484, but other funding should not, including the emergency grants.

Finally, it is unclear if the IFR provides an alternative for establishing a student's eligibility for emergency grants without filing a FAFSA. The text of the final rule defines a student for the purpose of the CARES Act "as an individual who is, or could be, eligible under section 484 of the HEA..." However, this text is silent regarding any manner in which an institution would legally determine that a student "could be eligible under section 484."

Instead, ED relegates its explanation of an alternative eligibility determination to a discussion that is part of an administrative requirement under Executive Order 12866 ("Costs, Benefits, and Transfers"). In particular, ED refers to campus-specific grant applications that institutions could provide for their students to self-certify section 484 eligibility under the penalty of perjury. ED goes on to say that institutions could sanction students who knowingly misrepresent their eligibility by disciplinary action or grant repayment. Both the meaning of perjury in the student self-certification context and the party responsible for initiating and then adjudicating an allegation of perjury is unclear, and because the text of the final rule is silent on this alternative, ED should further clarify this issue.

Despite ED's claim that it conducted a holistic review of the statutes in question as it developed this IFR, its interpretation remains fundamentally flawed. Moreover, either explicitly or as a practical matter, the IFR denies CARES Act emergency grants to millions of students, including many student veterans, for failing to establish Title IV eligibility or for enrolling in non-Title IV-eligible programs of study.

The Department's inconsistent and contradictory pronouncements on the plain text of the CARES Act has created unnecessary confusion and costs for institutions and delayed the disbursements of desperately needed emergency grants to distressed students. We respectfully ask ED to immediately modify the IFR to ensure consistency with statute and to permit campuses to distribute this emergency funding as quickly and broadly as possible to all students in need.

Sincerely,



Terry W. Hartle
Senior Vice President

On behalf of:

Achieving the Dream
ACPA - College Student Educators International
American Association of Collegiate Registrars and Admissions Officers
American Association of Community Colleges

American Association of State Colleges and Universities
American Council on Education
American Dental Education Association
American Indian Higher Education Consortium
APPA, "Leadership in Educational Facilities"
Association of American Universities
Association of Catholic Colleges and Universities
Association of Community College Trustees
Association of Governing Boards of Universities of Colleges
Association of Jesuit Colleges and Universities
Association of Public and Land-grant Universities
College and University Professional Association for Human Resources
Council for Advancement and Support of Education
Council for Opportunity in Education
Council of Graduate Schools
Council of Independent Colleges
EDUCAUSE
Higher Education Loan Coalition
Hispanic Association of Colleges and Universities
NAFSA: Association of International Educators
NASPA - Student Affairs Administrators in Higher Education
National Association for College Admission Counseling
National Association for Equal Opportunity in Higher Education
National Association of College and University Business Officers
National Association of Colleges and Employers
National Association of Independent Colleges and Universities
National Association of Student Financial Aid Administrators
National Association of System Heads
UPCEA

June 10, 2020

The Honorable Betsy DeVos
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary DeVos:

We represent presidents and chancellors of the nation's two- and four-year, public and private colleges and universities and we are writing to you regarding Executive Order 13924, "Regulatory Relief to Support Economic Recovery," signed by the President on May 19, 2020. Consistent with the goals of the Executive Order, we request a delay of the August 14 effective date of the Department of Education's recently published Title IX final rule, "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance." This regulatory relief is crucial to colleges' and universities' efforts to reopen their campuses quickly and safely and to our larger national economic recovery efforts.

In light of the COVID-19 pandemic's impact on our economy, Executive Order 13924 directs all agency heads to identify regulations that "may inhibit economic recovery" and to take appropriate steps "to temporarily or permanently rescind, modify, waive or exempt" these requirements for the purposes of promoting job creation and economic growth.

Colleges and universities are critical to the economic health of our country. In many states and Indian reservations, colleges and universities are one of the largest—if not the largest—employer. They are economic engines for their communities, including the many small businesses that serve campus populations.

Since the start of the pandemic, colleges and universities have experienced financial losses in the tens of billions of dollars, and these losses will only accelerate over the coming academic year. Against this backdrop, campus officials are devoting enormous time and resources to the planning and modifications required to safely and effectively reopen their campuses. This is an all-hands-on-deck effort, touching every campus administrative function and department.

Now is not the time to add to these burdens by requiring campuses to implement the most complex and challenging regulations issued in the Department's history. Implementation of these regulations will require a wholesale redesign of campus disciplinary processes and HR functions—diverting time and resources away from the reopening efforts that are of such paramount importance to our economy.

We appreciate the regulatory flexibility provided by the Department to allow campuses to rapidly move to online learning this spring. Given the directives of the President's Executive Order, we urge you to expand upon this prior relief by providing a delay in the effective date of the Title IX final rule. Extending the effective date to at least December 21 would enable institutions to use the fall semester to more sensibly and effectively incorporate the requirements of the final rule into the many policies and procedures affecting students, faculty and staff on their campuses. Although the Title IX final rule is not subject to the master

calendar provisions of the Higher Education Act, our request would provide institutions with roughly the same eight-month period required under those provisions and routinely provided for far less complex regulatory packages.

Providing an extension also could eliminate an immediate issue facing the federal courts in the District of Columbia and New York in lawsuits filed on June 4, 2020, by 19 states against the Department regarding these regulations: whether the August 14 effective date should be postponed pending judicial review. The Department affirmatively taking this step now can permit the court, the Department, and the attorneys general to focus exclusively on the merits of the cases and move them more expeditiously to a conclusion, which will, in turn, inure to the benefit of America's colleges and universities, and their community members. Title 5 U.S. Code Section 705 unambiguously grants the Department the authority to take this action without waiting for a court to order it to do so. ("When an agency finds that justice so requires, it may postpone the effective date of action taken by it, pending judicial review.")

As the President's order notes, "[j]ust as we continue to battle COVID-19 itself, so too must we now join together to overcome the effects the virus has had on our economy." We hope you will support colleges and universities in their reopening efforts by delaying the effective date of the Title IX final rule.

We thank you for your consideration of this request.

Sincerely,



Ted Mitchell
President
American Council on Education



Walter G. Bumphus, Ph.D.
President & CEO
American Association of Community Colleges



Mildred García, Ed.D.
President
American Association of State Colleges
and Universities



Carrie L. Billy
President & CEO
American Indian Higher Education Consortium



Mary Sue Coleman, PhD
President
Association of American Universities



Rev. Dennis Holtschneider, CM
President
Association of Catholic Colleges and Universities



Henry Stoeber
President & CEO
Association of Governing Boards of
Universities and Colleges



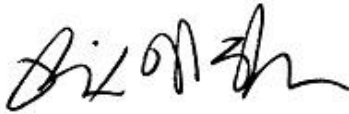
Rev. Michael J. Sheeran, S.J.
President
Association of Jesuit Colleges and Universities



Peter McPherson
President
Association of Public and Land-grant
Universities



Shirley V. Hoogstra
President
Council for Christian Colleges & Universities



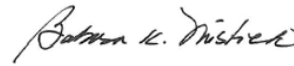
Richard Ekman
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Council of Independent Colleges



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Hispanic Association of Colleges and
Universities



Lezli Baskerville
President & CEO
National Association for Equal
Opportunity in Higher Education
(NAFEO)



Barbara K. Mistick
President
National Association of Independent Colleges
and Universities



Michael L. Lomax, Ph.D
President and CEO
UNCF (United Negro College Fund, Inc.)

AIHEC NARCH 2020 Summary

AIHEC, in partnership with the University of North Dakota (UND) School of Medicine and Health Sciences, would like to prepare and submit a proposal, *Building Indigenous Research Capacity for Health (BIRCH)*, for an award under the Native American Research Centers for Health (NARCH), FOA number PAR-20-125.

- Dr. Donald Warne, MD, MPH (UND), and Carrie Billy, JD (AIHEC), will serve as co-Principal Investigators.
- **Reno Charette, BA, MA (AIHEC), will serve as the Project Director.**

Funding Source: Native American Research Centers for Health (NARCH),
FOA number PAR-20-125
National Institutes of Health

Date for Submission: July 24– the Team’s deadline is July 17, 2020, if the Board approves

The project will have the following components:

- a) A health research course series for students. The courses being proposed are: biostatistics, epidemiology, health research methods, principles of indigenous health, and community based participatory research (CBPR). These courses will be taught online with either UND or TCU faculty instructors including Native faculty to the greatest extent possible.
- b) A residential summer institute for TCU students hosted by UND that will provide both academic enrichment and research experience opportunities.
- c) An Indigenous research methods graduate certificate program for faculty. This certificate program will be a modification of an existing program offered by UND. It will be taught in a hybrid format with both online courses and occasional face-to-face sessions when this is possible.
- d) An indigenous plants research lab at four TCUs for student research experience/training. This capacity-building project will involve establishing a small spectroscopy lab at the TCUs which will be selected competitively through an RFP process. Students will learn lab analytical methods for biochemical characterization of indigenous plants associated with medicinal and nutritive properties.
- e) An Indigenous mindfulness research project with Bonnie Duran exploring the behavioral health benefits of mindfulness training for TCU students that focuses on an indigenous narrative of connectedness, spirituality, and wellness.

The project would be funded for 4 years at \$1M per year.

2020 Summer BoD Meeting

AIHEC General Information:

**Upcoming Meeting Schedule
TCU Presidents List
AIHEC Staff List**

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Carrie L. Billy

President & CEO

cbilly@aihec.org | x110

| | |
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UPCOMING AIHEC BOARD & OTHER MEETINGS 2020-2021

| DATE | MEETING | LOCATION |
|--|--|--|
| <i>Cancelled Some virtual sessions planned</i> | Annual AIHEC Student L.I.F.E. Conference (AIHEC Student Congress Led Event) | |
| | Annual TCU Meeting at SKC | Salish Kootenai College Pablo, MT |
| Oct. 4-6, 2020 | AIHEC 2020 Fall Board Meeting | Virtual via Zoom Web Conference |
| <i>TBA</i> | NIEA Annual Convention & Marketplace | Virtual – Details Pending |
| Oct. 24-26, 2020 | 16 th Annual FALCON Conference (<i>Land-grant Programs</i>) | Hotel Albuquerque Albuquerque, NM |
| Nov. 8-13, 2020 | NCAI Annual Convention & Marketplace | Oregon Convention Center Portland, OR |
| March 1-4, 2021 | AIHEC 2021 Annual Legislative Summit | Washington, DC |
| March 25-27, 2021 | AIHEC Spring Board Meeting | Best Western Ramkota Rapid City, SD |
| March 28-30, 2021 | <i>41st Annual AIHEC Student Conference</i> | |
| June 21-24, 2021 | AIHEC Summer BoD Meeting | Bellingham, WA Area (tentative) |
| July 25-29, 2021 | Annual TCU Meeting at SKC | Salish Kootenai College Pablo, MT |
| Oct. 10-12, 2021 | AIHEC Fall BoD Meeting | Omaha, NE |
| Oct. 13-16, 2021 | NIEA Annual Convention & Trade Show | Omaha, NE |
| Mid-Late Oct. 2021 | FALCON Annual Conference (<i>Land-grant Programs w/NIFA & FRTEP</i>) | Kansas City, MO |
| Feb. 7-10, 2022 | AIHEC 2022 Annual Legislative Summit | Washington, DC |
| Feb. 6-9, 2023 | AIHEC 2023 Annual Legislative Summit | Washington, DC |

Dates do NOT include travel days. Travel days are one day before, and one day after, the dates listed.

FUTURE AIHEC STUDENT CONFERENCE SITES
And SCHEDULE of HOST INSTITUTIONS

| | | |
|-------------|---------------------------------|---|
| Spring 2021 | Annual AIHEC Student Conference | Best Western Ramkota Hotel and Conference Center Rapid City, SD <i>(note: switched w/Woodlands)</i> |
| Spring 2022 | Annual AIHEC Student Conference | Albuquerque Convention Center Albuquerque, NM <i>(note: Woodlands switched w/SD; then switched with SW, to accommodate cancellation of 2020 conference)</i> |
| Spring 2023 | Annual AIHEC Student Conference | North Dakota |
| Spring 2024 | Annual AIHEC Student Conference | NW/Montana |
| Spring 2025 | Annual AIHEC Student Conference | Woodlands <i>(switched with Southwest/OK)</i> |

| | |
|---|-------------------------|
| ANNUAL ROTATION FOR THE AIHEC STUDENT CONFERENCE | Year 1: Woodlands |
| | Year 2: South Dakota |
| | Year 3: North Dakota |
| | Year 4: NW/Montana |
| | Year 5: Southwest/OK/KS |

TCU Executive Development Presentations:

Supporting Documents

- Michael Yellow Bird
- Planning for AY 2020-21
- Title IX Regulations

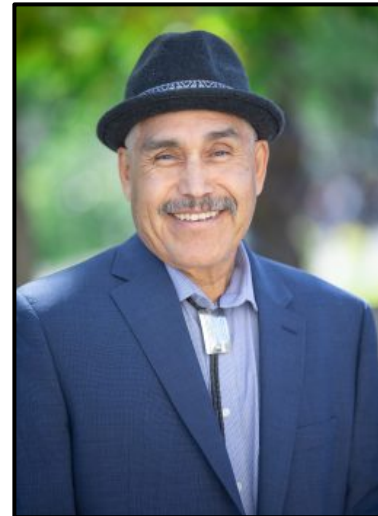
The University of Manitoba:

Michael Yellow Bird, Dean of Social Work:

OCTOBER 21, 2019

<https://www.youtube.com/watch?v=1ogRvcEB9K4>

Dr. Michael Yellow Bird, a celebrated scholar, author, inspirational teacher and passionate advocate for decolonization, Indigenous social innovation and creativity, and institutional and environmental systems change, has recently been appointed as the Dean of the Faculty of Social Work at the University of Manitoba.



Prior to his most recent academic appointment, Dr. Yellow Bird was a Professor of Sociology and Director of Indigenous Tribal Studies at North Dakota State University. He is a citizen of the Three Affiliated Tribes of the Fort Berthold reservation in North Dakota and identifies as Arikara (meaning “The People”) and Hidatsa (meaning “Willows”).

What unique perspective do you bring to the faculty/university?

Without knowing all the other perspectives of others at our university, it’s difficult to say, with assurance that my perspectives are unique. Now, I can tell you that I’m interested in decolonization as an event and process and how the term is conceptualized, operationalized, and often misused as a metaphor rather than a set of discernible actions that address colonialism and serve the needs and goals of Indigenous Peoples. I’m especially interested in a neurodecolonization paradigm (which I’ve created) that examines how a number of ancestral Indigenous approaches can be integrated with Western evidence-based science and used to heal the body and the mind from the traumas of colonization. In my current work, I have identified ten critical areas often overlooked by social work scholars, educators, researchers, and practitioners when working with Indigenous Peoples: movement, microbiome, genetic, and mindfulness science; sleep and circadian science, collectivism and laughter science; and neuroscience.

I see the world we live in as one of the opportunities that are created when one engages in a truly holistic approach to life. For me, it means that every day I make sure that I spend quality time with my family, get abundant levels of exercise and engage in mindfulness meditation practices. I play my saxophone every day, learning new songs and complex patterns. I focus on eating a healthy ancestral diet, getting enough sleep, and learning something new, which often means I am watching science and educational TED talks and YouTubes with my four young daughters and then discussing their relevance to the well-being of society. For me, being resilient, productive, creative, and happy does not appear out of thin air; thus, it’s important for me to connect with new and old acquaintances and to make time to celebrate, dance, sing, smile, and laugh. I strive to keep people healthy and connected and encourage well-being and positivity. I make sure there are healthy links and a strong sense of community building within the University and beyond. I believe that in order for me to be happy and resilient, I have to make sure that my

workplace, where I spend a good part of my time, is a strong, connected, resilient, and healthy organizational community.

What is your vision for the Faculty?

I want our faculty to be recognized as, and have the attributes of, a world-class social work faculty that draws the best of the best scholars and students having the most unique and effective curriculum that generates new post-social work theories. In my vision, our students, faculty, staff, alumni, and community have the capacity, creativity, and “rage to master” the most difficult challenges that lay before society. We have the skills and knowledge to create positive, dynamic changes in society that are appropriate, timely, and measurable. For instance, I believe that within one generation, using exciting, novel approaches that we create, we can be part of an effort to reduce the number of Indigenous suicides and children in care by 95 percent. I envision our faculty producing the best of the best students and having the ability to dramatically and measurably decolonize the way we think, behave, and the way we respond to the world around us.

My goal is to elevate our faculty to be known for our exceptional research, teaching, and service excellence. We will be able to both qualitatively and quantitatively measure the direct impact that our teaching and research have on the health and well-being of the community. We will be using dynamic interdisciplinary approaches, principles, and technologies that incorporate a post-social work hybrid paradigm that integrates Indigenous sciences and ways of knowing with Western sciences. I want to draw on technologies from other disciplines to begin to change the thinking and intellectual and philosophical environment of social work and create a culture of creativity and innovation.

For example, one vision may be for our faculty to have the capacity to use artificial intelligence (AI) and predictive analytics to develop new approaches that will enable us to further identify the diseases and risks of poverty, racism, colonization, violence against women, homelessness, and suicide, among other critical factors that need resolution. Another may be using people analytics to improve relationships and connections between colleagues for the purpose of creating a greater intellectual synergy. I’m an optimist and believe that transformation is one breath away, one extra mile, or just more one more attempt. Since I arrived, I have already begun working with one of our faculty members to complete a linear equation to operationalize

decolonization that I’ve been sitting on for the past ten years. I think it holds great promise, and, as far as I know, no one else has used such an approach to conceptualize and operationalize decolonization.

I also committed to the creation of an Institute for Mindful Decolonization (IMD) that will bring together interdisciplinary scholars who are interested in using novel mindfulness and contemplative approaches to decolonize and address trauma, suicide, heart disease, and other conditions that have been exacerbated by the past and continuing effects of colonization.

What pursuits do you enjoy beyond academia?

It seems that almost everything in life is academic for me. It’s difficult for me to distinguish between work and play since I equally apply my intellect and critical thinking skills in both domains. I enjoy being active adding or subtracting from my daily routines. For instance, I call myself an intermitted fasting activist and I’m big on ancestral lifestyle approaches and every day

I engage in different forms of fasting. I also spend a lot of time reading in areas outside of social work and work on applying relevant principles and processes to my own work, which I find thrilling and satisfying when I am to connect the dots between two seemingly different disciplines. I run every day, do a lot of weightlifting, and swim off and on. I also play tenor saxophone and enjoy listening to all types of music, especially jazz, which I grew up with. My father was a jazz and big band musician. As a father, as I said earlier, I love spending time with my daughters hearing their thoughts and analyses of the worlds they live in. I also do a lot of meditation; I meditate several times for about five minutes per session. I love to take slow, deliberate walks in-between meetings and tasks to lower my cortisol and create the conditions for the “aha” moments.

What would you consider your guiding principle in life?

Cooperation between humans can solve the most complex and troubling diseases, social conditions, wars, and planetary challenges. Humans have tremendous capacities for love, compassion, and healing, but it is cooperation that makes these possible and lasting. We have untapped abilities to do good that bring about societal transformation. But, we also have dark tendencies like hate, mistrust, and fear. My guiding principle has pressed me towards understand the balance between the positive and negative and finding the good and negative in both. I gravitate more towards the idea that despite the fact that human nature can have its drawbacks or its shadow side, we have evolved to the stage where we can be very enlightened, resourceful, and compassionate beings.

We have tremendous plasticity in our brains, cells, genes, language, and culture, along with the ability to adapt to challenging conditions. Our ancient ancestors passed this ability on to us. We have the power to create and sustain positive change, especially if we cooperate.



Sovereign Nations through Excellence
in Tribal Higher Education.

SIX FEET



A.

OUT ONLY

IN ONLY

The Reopened Campus

What it will take.
How it will look.

A.



B.



50% OCCUPANCY

The Reopened Campus

What it will take. How it will look.

4 Introduction

6 Welcome to the Socially Distanced Campus

Expect transformed spaces and new norms. Here's what that will look like.

FRANCIE DIEP AND MEGAN ZAHNEIS



23 The New Communication Plan? Over-communication

For college leaders in the midst of a pandemic, there's no such thing as too much transparency.

LEE GARDNER, EMMA DILL, EMMA PETTIT, AND MICHAEL VASQUEZ



12 How Teaching Will Change

The things that make in-person learning effective need to be reimaged.

BETH MCMURTRIE



29 What's the Plan for Budgets Next Year? Improvise

Revenues are fuzzy, and every new safety measure carries a price tag.

SCOTT CARLSON



17 What College Students Need Now

They're more vulnerable than ever, physically and financially.

SARAH BROWN AND KATHERINE MANGAN



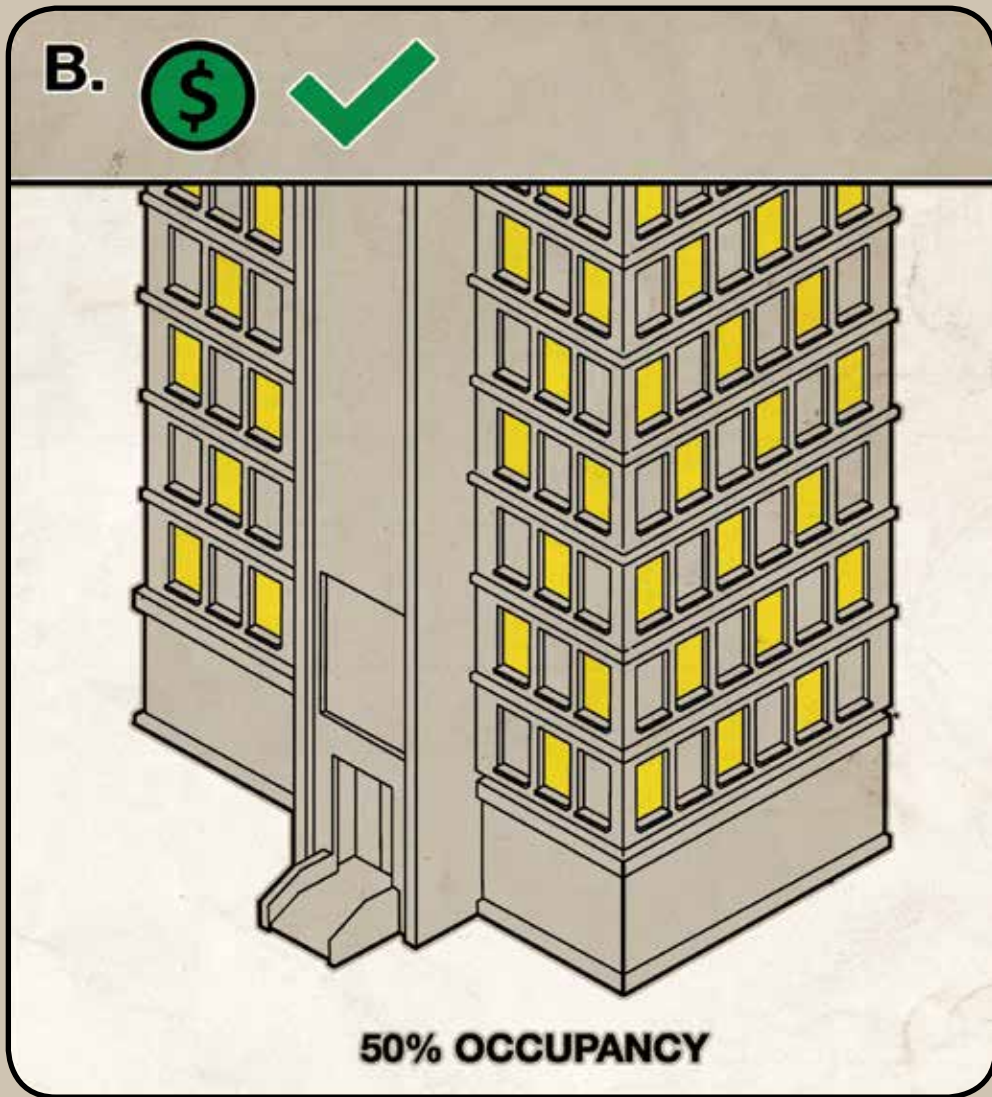
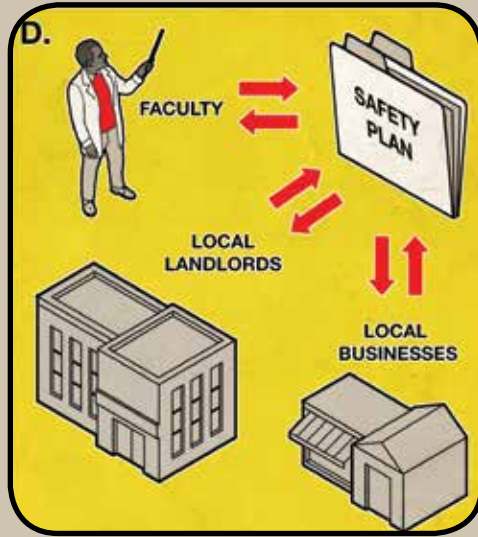
33 Why the Fall Will Be a Liability Minefield

Colleges face lawsuits at every turn, and waivers won't protect them.

ALEXANDER C. KAFKA



Cover illustration by Son of Alan for *The Chronicle*

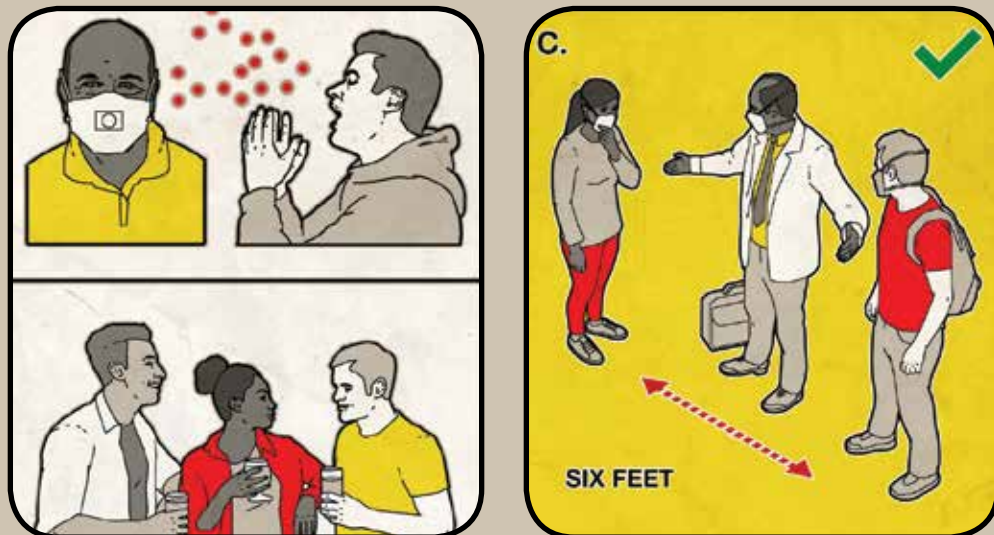


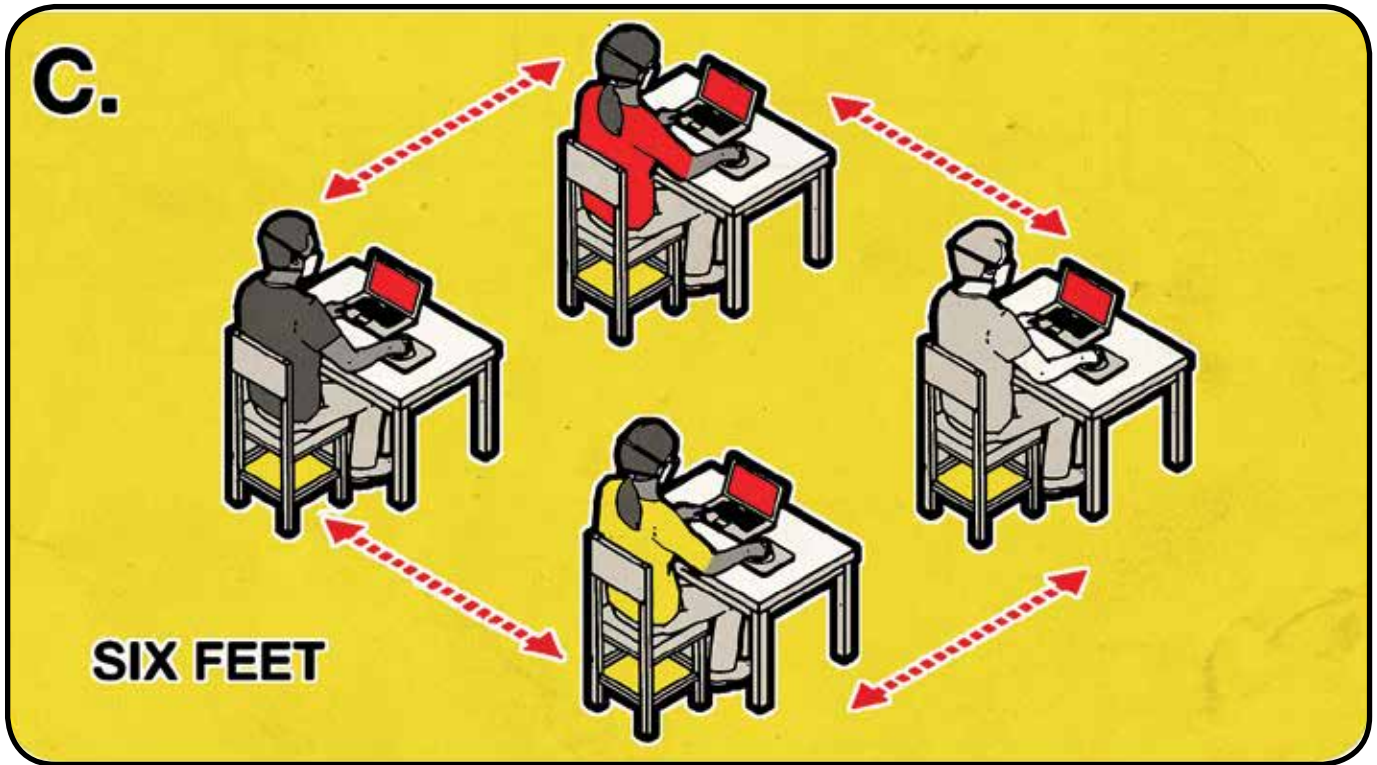
WHETHER in the fall or later next year, colleges that sent students home as the Covid-19 pandemic encroached will welcome them back to campus. The articles that follow examine the complex practicalities, risks, and trade-offs of that unprecedented process. How can residence halls, dining facilities, and classrooms be used in a way that adheres to public-health guidance? What liability risks do colleges face? How will the way professors teach have to change? And with so much financial uncertainty, how can colleges budget for next year?

If a common theme emerges from these pages, it is that there's nothing normal about the new normal, no playbook colleges can rely on to guide them through the myriad challenges that lie ahead. This will be an era of improvisation.

—THE EDITORS

Illustrations by Son of Alan for *The Chronicle*





Welcome to the Socially Distanced Campus

Expect transformed spaces and new norms.
Here's what that will look like.

By **FRANCIE DIEP** and **MEGAN ZAHNEIS**

DARLENE M. CAMPO welcomed her first students back on campus at 9:15 a.m. on May 11. Excited, they all arrived on time, or even early. Campo, associate dean for allied health at Western Technical College, in La Crosse, Wis., said they weren't the only ones: "The faculty said that they haven't felt this giddy coming back since they were in school."

In Wisconsin, students in health-care occupational programs were designated this spring as "essential" and therefore eligible for a return to in-person instruction for labs and other course requirements that can't be completed online. Campo's eight students, standing several feet apart and most wearing masks, chatted on the sidewalk outside the Health Science Center while Campo let them through the front doors, one by one. They signed waivers and attested to not having any of the six common Covid-19 symptoms listed on a poster. Campo aimed an infrared thermometer at their brows.

That first day had a festive air, but over the next week, the process came to seem routine. "They got used to it. I got used to it," Campo said.

One day, students across the country will return to their colleges, just as Western's physical-therapy students have. Nobody knows exactly when that will happen because so much depends on the future spread of the novel coronavirus and on orders by state and federal officials. But many college presidents have suggested it will be fairly soon — this fall, in fact. Whenever it happens, as long as no vaccine exists yet, it is likely to involve some social distancing.

College leaders are already preparing for that future by considering ideas to prevent the virus's spread in spaces like classrooms, dining halls, and dormitories. To get a sense of what studying, working, and living on a socially distanced campus would look like, *The Chronicle* gathered documents and interviewed administrators to learn their plans to re-engineer their campuses' physical spaces to blunt the virus's contagion. *The Chronicle* heard proposals from community

colleges and public and private four-year institutions with enrollments ranging from fewer than 400 to 30,000.

Many administrators emphasized they had not made firm decisions yet, but they shared ideas that might work for themselves and others.

IN A WAY, social distancing in classrooms is straightforward. Colleges need to put fewer students in the same space, or the same number of students in more or larger spaces.

Many interventions are likely to be low-tech. Institutions say they'll remove furniture to discourage students from sitting too close to one another, and tape off furniture that can't be removed. They'll designate entry and exit doors for classrooms, where possible, and redefine meeting rooms or event spaces as makeshift classrooms. Doorknobs may be removed in favor of hands-free options.

The University of Miami may even hold some classes outdoors, once Florida's temperatures cool in the fall. The university's president, Julio Frenk, told *The Chronicle* it was like "going back to the Greek ideal of academe, which was the olive grove where the philosophers would meet." Even tents are an option, said Kevin E. Kirby, vice president for administration at Rice University, where he leads its crisis-management advisory committee. "Large temporary structures," he said, could be used as classrooms or overflow study spaces.

Campuses may take extra precautions to protect faculty members, who because of their age may be at higher risk than their students of contracting a serious case of Covid-19. Tape on the floor might remind students not to come within six feet of their instructor, or faculty members might find themselves teaching behind plexiglass screens, as Purdue University's president, Mitch Daniels, [told CNN](#).

"As a professor, I have a hard time envisioning how I can engage with my classroom if I'm surrounded by plexiglass," said Kathryn M. Cardarelli, senior assistant provost for faculty

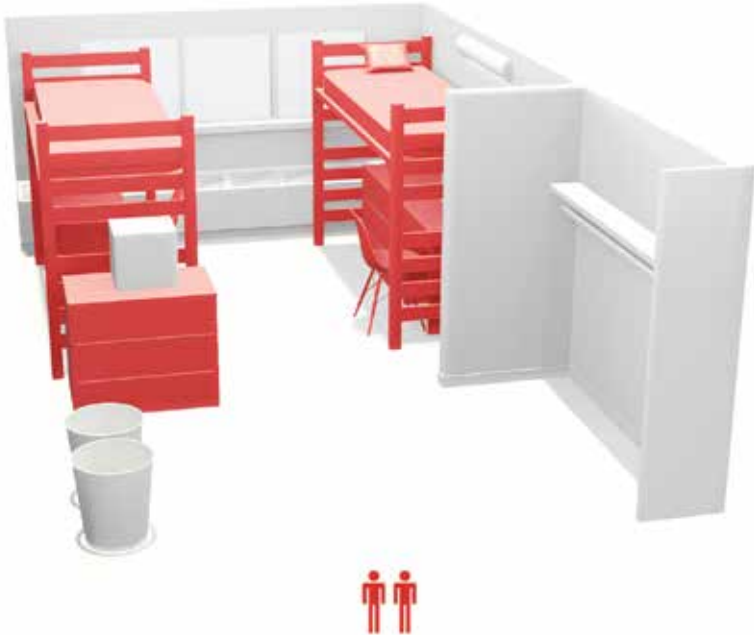
DORM ROOMS

Michigan Technological University is among the colleges eliminating triple-occupancy dorm rooms.

Before



After



CHRONICLE ILLUSTRATION BY JACQUELYN ELIAS

affairs and professional development at the University of Kentucky. “But stranger things have happened.”

Even straightforward spacing creates some thorny problems, however.

Class schedules will have to be reconfigured. Many campuses are considering lengthening the time between course sessions, to lessen the class-to-class rush and give the custodial staff time to deep-clean. That means longer days and weeks.

“Traditionally, folks don’t like Monday-morning classes or Friday-afternoon classes,” said Michael Rounds, vice provost for operations at the University of Kansas. “That’s probably going to be much more flexible than it used to be.”

Even weekend classes are on the table at Kentucky, said Cardarelli, who leads a scenario-planning team there. “I’ve heard a lot of negative feedback about that idea,” she admitted.

At Texas A&M University at San Antonio, students could take multiple classes with the same small group of peers, whose size would be dictated by Centers for Disease Control and Prevention guidance on large gatherings, in a block schedule. The arrangement might be more suited to freshmen taking required or introductory courses, and could resemble their past schooling. “Your first class would be English, your second class would be math, the third class would be science,” said Cynthia Teniente-Matson, the president. Theoretically, keeping students in smaller groups that don’t interact could help limit the spread of the coronavirus, should anybody become infected. It could also help make contact tracing easier.

Kentucky administrators have even considered assigning students to small cohorts that would stay in one classroom — within a residence hall — all day, and professors would come to them. Even so, Cardarelli said, students would remain socially distanced in their seats.

If a 30-student class becomes a 10-student one, how will the college keep teaching the other 20, without overburdening its faculty? Forms of hybrid instruction figure heavily in many campuses’ fall planning. Frenk, of the University of Miami, proposed that in a class that meets on Mondays, Wednesdays, and Fridays, one-third of the stu-

dents could attend in person each day, with the remaining two-thirds watching live online.

DORMS — where students share bedrooms, bathrooms, late-night barbecue-wing orders, and hallway talks — seem among the riskiest environments for viral spread.

Michigan Technological University and the University of California at San Diego are considering eliminating triple dorm rooms, and administrators at Texas A&M in San Antonio have said they definitely will.

At the University of Kansas, Sarah Waters, the director of student housing, said she hadn't made any decision on triples, but is seeking to reduce the density of shared rooms and bathrooms overall. In addition, Kansas plans to set aside some housing to quarantine students who contract Covid-19. All of those plans mean Kansas expects to be able to offer on-campus housing to fewer students than in a typical year.

Some campuses may welcome back only certain swaths of students to maintain low residency levels. Cardarelli heard proposals from people on Kentucky's planning teams to house only first-year students and seniors on campus this fall. Others argued for giving priority to professional students — those in medicine, nursing, and chemistry, for example — who need clinical experience. Cases were made, too, for fine-arts students who take studio or performance courses, for athletes who need access to training facilities, and for doctoral students nearing degree completion.

A few institutions have enough dorm space — and a small-enough student body — to offer everyone a single room, and they've been vocal about their rare ability to do so. They include Embry-Riddle Aeronautical University, in Florida, and Sweet Briar College, a small, private liberal-arts institution for women in rural Virginia [that nearly shut down in 2015](#). The latter will offer single rooms at the price of doubles.

"We are a very small college sitting on 3,200 acres of jaw-dropping, beautiful campus," said Meredith Woo, Sweet Briar's president. "We feel that we are probably very well situated, thank God."

Whenever students venture out of their dorms to eat, their dining-hall experience may be swifter and lonelier than they're used to.

Several campuses plan to open their dining halls for takeout only. Sweet Briar envisions seated meals, but each two-person table will be six feet apart. At Kentucky, if dining halls are open, students may be required to wear masks when they're not eating, and plexiglass screens could guard check-in and checkout areas, Cardarelli said. Prepackaged meals might replace buffets.

Dining-hall meals are often a big social time for students. "That will end," said Kirby, at Rice,

It's one thing to make rules; it's quite another to get thousands of students to follow them.

"and people will eat in shifts." Students will be assigned a time to eat, and dining halls will stay open longer to accommodate staggered meal-times.

IT'S ONE THING to make rules; it's quite another to get thousands of students to follow them.

In classrooms, that responsibility might fall to someone in a new campus role. It would be unfair to expect faculty members to police social distancing while they're teaching, said Teniente-Matson, at Texas A&M in San Antonio. So she envisioned someone else would do it instead: a "classroom steward" who would ensure that students maintain social distancing and wear masks if they're required to do so.

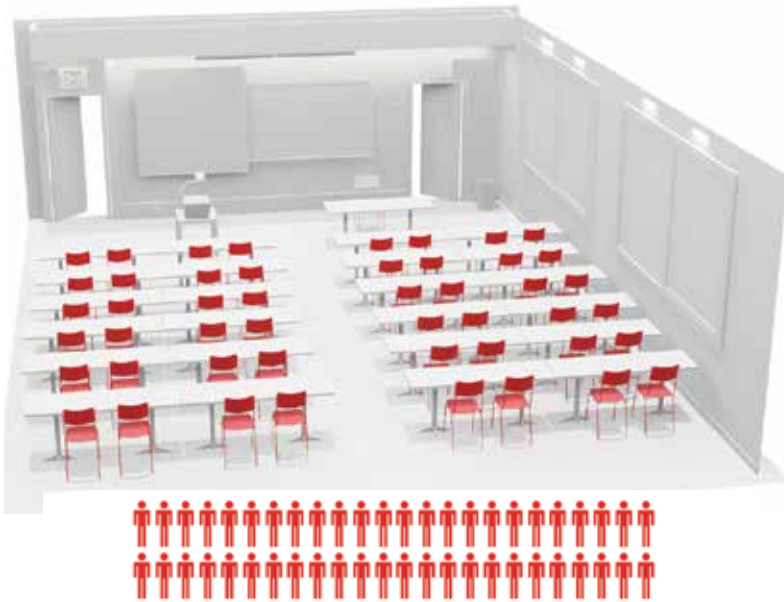
The specifics of the role are still being worked out, the president added. Stewards might sit in the back of every classroom or rove the campus.

The Centers for Disease Control and Prevention last week [released guidelines for reopening colleges](#) suggesting that institutions "con-

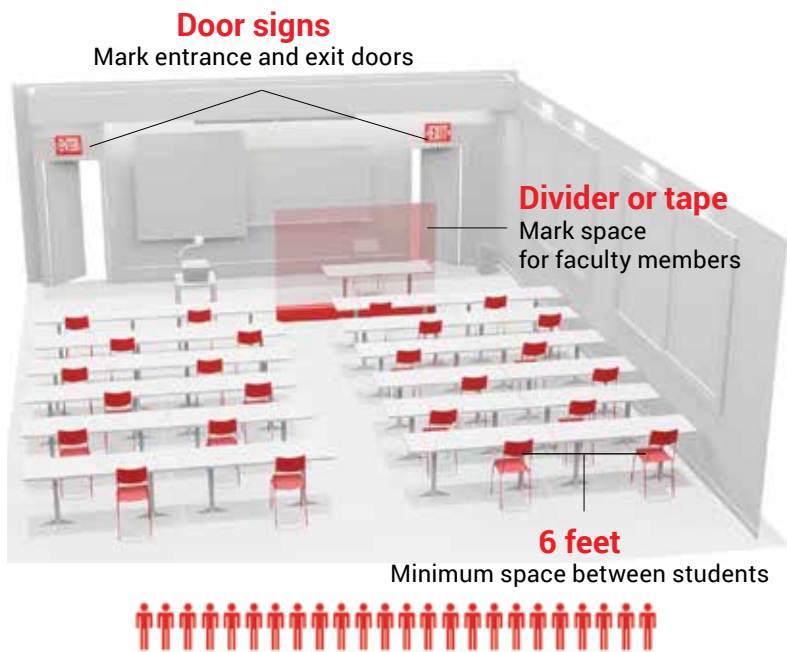
CLASSROOMS

At Embry-Riddle Aeronautical University, classrooms will hold fewer students, contain barriers between faculty members and students, and have marked entry and exit doors.

Before



After



CHRONICLE ILLUSTRATION BY JACQUELYN ELIAS

duct daily health checks or ask faculty, staff, and students to conduct self-checks.” After all, social distancing on campus alone can’t choke off the virus when many students venture off campus, exposing themselves to many more people, many times a week.

At Western, Campo’s intake procedure — with its thermometer and symptoms checklist — aims to control for that. At Michigan Tech, administrators are considering another option: asking staff and faculty members to attest each day that they don’t have Covid-19 symptoms before coming to work. Perhaps they could submit online forms with the symptom pledge that would be required to activate their keycards, said Ian Repp, the assistant vice president for marketing and communications.

To thoroughly monitor for coronavirus infections on campus, institutions will want to test their community members on a regular basis. The University of California at San Diego announced plans this month to test each of the 5,000 students currently on its campus for active coronavirus infections, as a trial run for larger-scale testing in the fall. The university imagines eventually testing most of its 65,000 students, staff, and faculty every month, to try to catch outbreaks before they spread.

Jonathan M. Links, vice provost and chief risk and compliance officer at the Johns Hopkins University, envisions twice-weekly testing for everyone at his institution — which, on its main campus, in Baltimore, would total 10,000 people. How such widespread testing could be funded and conducted is still unclear, but Links and Stephen J. Gange, executive vice provost for academic affairs and an epidemiologist by training, said they anticipated testing about 4,000 people each day and delivering results 24 hours later. Eventually, they hope, tests could be self-administered and saliva-based. And, if successful, large-scale testing could serve as an alternative to physical distancing.

“If we can do enough testing, tracing, isolation, and quarantine, then we think we can have more folks in a space,” Links said. “We may or may not be able to pull it off, but we’re trying.”

Some campuses are debating whether to test for active infections or for antibodies, which indicate if someone got the new coronavirus in the

past and has now recovered (or perhaps never experienced severe symptoms in the first place). [Public-health guidelines](#) generally recommend active-infection testing, in part because researchers can't yet say whether a positive antibody-test result means a person is now immune to reinfection, although the science is evolving and promising.

Meanwhile, institutions are considering strategies to foster the deep cultural changes needed to ensure that people stick to new habits. The University of Colorado at Boulder has already begun online training that faculty and staff members will have to complete before they can return to campus, said Daniel Jones, associate vice chancellor for integrity, safety, and compliance.

Students at Boulder will have their own Covid-19 training to complete, through the campus's Canvas learning-management system. First-year students will receive an extended version of that training, through both their residence halls and a "CU 101" course that includes modules on the epidemiology of Covid-19 and behavioral expectations to stop its spread, said Ann Schmiesing, executive vice provost for academic-resource management.

Embry-Riddle has adopted a "campus influencers" program in which student-government leaders, ROTC commanders, faculty senators, administrators, and others will ask rule flouters to put their masks back on. Administrators also plan [numerous softer nudges](#), including posters and fliers promoting social distancing. Everyone on campus now wears a badge reminding others to stay six feet away, and the university is printing T-shirts with slogans like "Respect my wingspan." (Embry-Riddle's mascot is an eagle.)

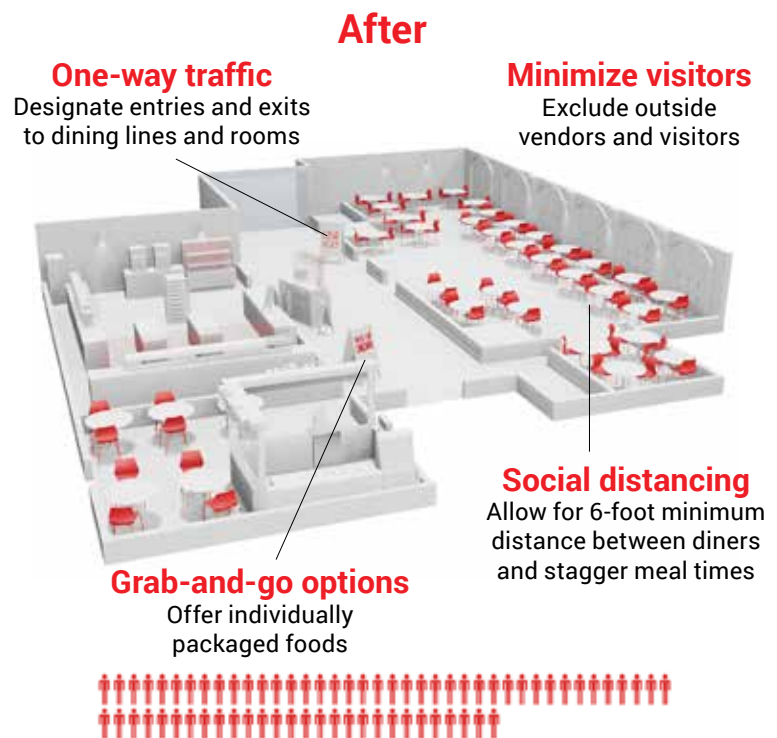
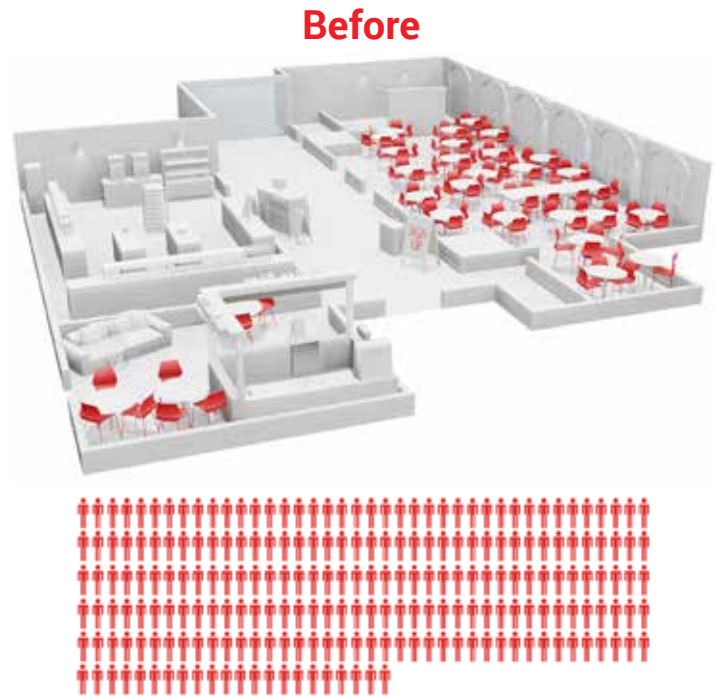
"It's one thing to write a bunch of rules and policies down," the institution's president, P. Barry Butler, said, "but if you don't have people participating in the solution, it's only a piece of paper." ■

Francie Diep is a staff reporter covering money in higher education. Megan Zahneis, a reporting fellow for The Chronicle, writes about graduate-student issues and the future of the faculty.

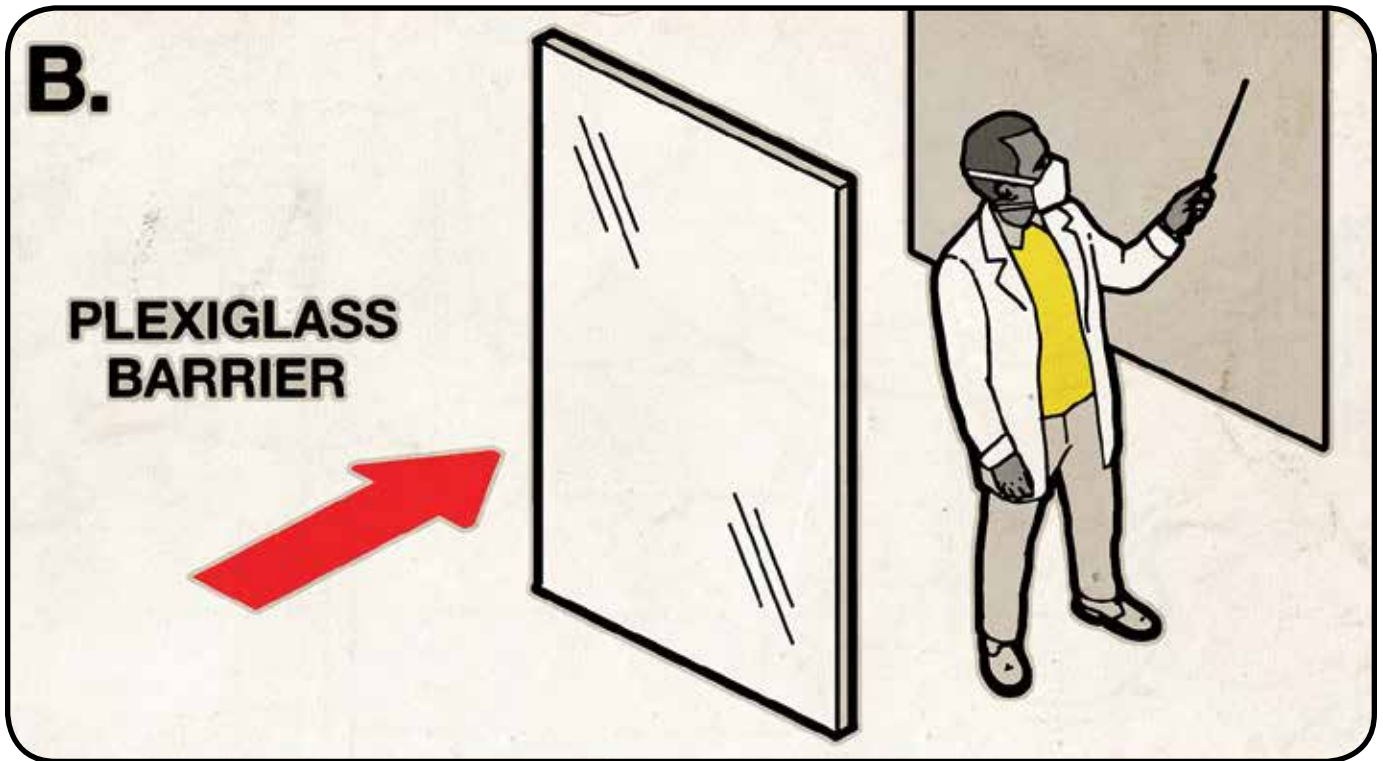
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DINING HALLS

This model demonstrates how a dining hall might change at Sweet Briar College based on plans the college shared with *The Chronicle*.



CHRONICLE ILLUSTRATION BY JACQUELYN ELIAS



How Teaching Will Change

The things that make in-person learning effective need to be reimagedined.

By **BETH McMURTRIE**

SILVIA SECCHI has been thinking a lot about the logistics of teaching in the fall. For now, the University of Iowa is planning to reopen its campus, on the premise that frequent testing, hand-washing, and mask-wearing can make the daily business of higher education possible.

What will that mean, Secchi wonders, for the nearly 400 students in her course on contemporary environmental issues? She could put them — maybe — in the one 800-seat auditorium on campus. But will that spread them out sufficiently? If some join remotely, is she supposed to keep one eye on a computer screen and another on the classroom? And if she conducts lectures wearing a mask, will everyone be able to hear her?

Then there's her "Introduction to Sustainability" course, which typically has about 80 students, and is designed for collaborative learning. Instead of asking students to gather around a table or write on whiteboards together, should she have them open their laptops and do breakout sessions in Zoom — even though they're sitting in the same room?

"We are getting a lot of inspirational and aspirational talking points: 'We're in this together. We're going to make sure there is shared governance,'" says Secchi, an associate professor in the department of geographical and sustainability sciences. "But nobody has come to me and said, Hey, this is what we're going to do."

As professors put the spring semester in their rear-view mirrors, many are, like Secchi, wondering exactly how they'll be able to teach this fall in a way that is both safe and effective. As unappealing as another semester online might seem, they are even more unsure of how face-to-face classes would work.

The challenges are both logistical and pedagogical. Are there enough large classrooms on campus in which to spread students out? Will instructors teach more, but smaller, sections of the same course, well into the evening or on weekends? How will they navigate hybrid classes and student collaboration? Who cleans the classroom

equipment they will be using? Can people talk at length, comfortably, wearing masks?

And what about stress levels, already high and sure to climb higher as people congregate for significant periods of time in enclosed spaces? How does that affect a professor's ability to teach and students' capacity to learn?

"If a student doesn't wear a mask, what do I do?" Secchi wonders. "Do I kick them out of class? Do I call security? There are all these things that are not part of my job that I have to worry about."

AS INSTRUCTORS begin to navigate such challenges, teaching experts fear that college administrators are not involving faculty members enough in conversations about teaching face to face. It's one thing to make a bold statement about resuming classes. It's another entirely to figure out how they're going to function.

Such tensions came to the fore recently at Purdue University, after Alice Pawley, an associate professor of engineering education and incoming president of the campus's chapter of the American Association of University Professors, expressed concern about the logistics of social distancing in the classroom and about the health risks of face-to-face teaching. Mitch Daniels, Purdue's president, dismissed her remarks as representing a "very tiny minority view" and suggested that one solution might be to put plexiglass barriers between the professor and students.

Daniels later doubled-down [in an opinion piece](#) in *The Washington Post*, arguing that to tell students, "'Sorry, we are too incompetent or too fearful to figure out how to protect your elders, so you have to disrupt your education,' would be a gross disservice to them and a default of our responsibility."

Cheryl Cooky, chair of the University Senate at Purdue, called Daniels's remarks "dismissive-ly cavalier" and said she is concerned that the faculty will become demoralized and afraid to

speak up as a result. Professors miss their students and they miss the classroom, she says, but they are also worried about things like whether students will adhere to safety measures and how flouting guidelines might increase the risks of teaching on campus. "It's great they wear a mask and social distance, but we know 18- to 24-year-olds," she says. "They're going to want to go to parties. They're going to want to socialize. That's part of what the on-campus experience is. There's only so much of the environment that can be controlled."

Cooky says that she appreciates Daniels's desire to move forward, but that Purdue is a very top-down institution. "Faculty can provide input and can advise, but in terms of making the call or even being in the room, that isn't always happening."

At the University of North Carolina at Chapel Hill, Kelly A. Hogan is also preparing to be on campus this fall. Hogan, associate dean of instructional innovation, has been part of the planning process and believes that faculty members have had regular opportunities to weigh in through surveys and communication with their deans.

Still, she says, it's hard for anyone to fully know what teaching in person will be like until they actually do it. That became obvious to her a few weeks ago, when she entered a classroom with the fall in mind. "I was thinking, Can I move around the room? If a student is here, I am no longer six feet away from them," she says. "Whether there is plexiglass or not, we have to think about space in a lot of different ways."

"Honestly, what does it mean to be in a room for an extended amount of time and a lot of people are talking?" she asks. "Is that more dangerous, that my students are talking and engaged?"

SOME COLLEGES are planning for hybrid instruction as a way to manage space and other logistical challenges. In that scenario, cameras would be installed in classrooms so that some students could watch lectures remotely. In one scenario, for example, half the students would attend a twice-weekly class in person, while the other

half would attend remotely. Those groups would switch for the second class.

That cuts down on the number of people occupying the same space. But it presents complications for instructors. They would need to monitor online-chat functions while also leading in-person discussions, so that remote students could ask questions and participate. And if groups of students were rotating through the classroom on different days of the week, the professor might find it hard to create a sense of community within the group.

Courses designed for active learning, in which students spend class time collaborating on problem sets or projects, present another level of complexity. For years, professors in many disciplines have been strongly encouraged to move toward active learning. And, as a result, colleges have reconfigured some of their classrooms so that, instead of sitting in rows in large lecture halls, students gather around tables or stand at whiteboards placed throughout the room, as professors and teaching assistants walk around to supervise their work.

But what happens when instructors can no longer peer over students' shoulders to look at their work or lean in to advise them when they get stuck? And how can students collaborate at a distance? "When you take that cluster of things together, it paints a picture that is not hospitable to active learning," says Christopher Heard, director of Pepperdine University's Center for Teaching Excellence, who has been wrestling with this issue as he helps the campus gear up for the fall.

Among other difficulties, Heard is exploring the problem of noise. If 40 people are in a large lecture hall, he wonders, how can the people in the back of the room hear or be heard? It's easy enough to mic up the professor, but what about the students? He is considering whether to place standing microphones in the room that can be wiped down after each use, or whether students can speak through their computers in a way that will amplify their voices.

Group work will be a challenge, too. Students will need to speak with raised voices when sitting six feet apart. But they could end up drowning each other out as different groups of students attempt to work in the same room, all talking loudly to one another.

Technology will most likely be needed to mediate some of those face-to-face challenges. Instead of leaning over worksheets together, for example, students might share a Google doc or a virtual white board. But that poses its own set of problems. “We don’t want to just bring students in a room and give them the equivalent of a remote class,” says Heard. “I am seeking more creative solutions than just having people log onto Zoom and go into breakout rooms. I am not there yet. I don’t know what the answers are.”

Heard believes it’s worth bringing students back to campus despite the limitations. Many professors struggled in the spring to build or maintain a sense of community with their students online. And as co-curricular activities are likely to be severely curtailed in the fall, classrooms will be some of the few spaces where those connections can flourish. “I am confident that our students are resilient and determined to build community within the classroom,” he says. “And our professors are resilient and will find ways for meaningful interaction.”

Those interactions themselves often extend beyond the classroom, something Nancy Chick has been thinking about at Rollins College. Chick, director of the campus’s faculty-development center, says that on their small campus, students regularly come in contact with librarians, tutors, advisers, and — in the case of community-engagement courses — outside organizations over the course of their day.

This spring, those connections continued virtually, with coffee hours and weekly meetings through videoconferencing. How that would happen in person in the fall is still a work in progress. For now, she imagines that rather than the casual meet-ups students might have with advisers and partners in the lunchroom or lounge, the college will need to formally schedule such gatherings, in much smaller groups.

Chick and others also raise the question of how professors and students will be able to read each other’s facial cues from behind a mask. That’s a central component of face-to-face teaching, yet one that will probably be inhibited.

“It’s not just a logistical challenge, it’s a moral and pedagogical challenge,” she says. “There are certain ways we teach, and we don’t want

to lose that. So we really have to think that through.”

STRESS is likely to affect learning. Students and professors will probably feel like they just navigated a minefield going to and from classrooms every day. And something as simple as a cough could lead an entire room to tense up.

“Higher-order thinking skills, executive-functioning skills, they all kind of get wiped out when we’re going through a traumatic experience or recovering from one,” says Karen Costa, a faculty developer who specializes in online pedagogy. That means students — and professors — will find it more difficult to focus, manage their time, and make decisions. Deep thinking is also going to become more challenging.

Costa is worried that administrators, in their

“If a student doesn’t wear a mask, what do I do? Do I kick them out of class?”

desire to return to a semblance of normalcy, are underplaying how stress will make face-to-face learning more difficult. “I haven’t seen a lot of higher-education leadership take it seriously,” she says.

Research suggests they should. Joshua Eyerl is the author of *How Humans Learn: The Science and Stories Behind Effective College Teaching*. He is developing training programs for faculty members on trauma-informed pedagogy, something he learned about while writing his book. He will be encouraging them to be as organized as possible with their teaching and as flexible as possible with students.

“Some faculty members might be tempted to walk into the classroom and try to assume an air of normalcy. That works against you,” he cau-

Too much may be expected of faculty members at campuses where leaders say they will reopen in the fall. They are being asked to plan for many contingencies, such as moving their classes online if the pandemic re-emerges, even as their own health concerns are coming into focus.

tions. “Everyone in there knows that something absolutely gigantic has happened in their lives. The best thing you can do is address that and say, ‘None of this is normal. We’re going to work together, piece by piece.’”

Costa suggests that instructors read up on the effects of stress on cognitive functions, and adapt their teaching accordingly. That doesn’t mean that professors have to become therapists or counselors. Instead, says Costa, instructors should empathize with what students are experiencing and talk with them about how it might affect their ability to learn.

Practically speaking, Costa says, instructors are likely to find that they have to repeat themselves to distracted students, explain their lesson plans more fully, and offer alternative forms of assignments. Some students might find it difficult to focus on writing a lengthy paper, she says, so perhaps they could produce a podcast or record a video.

Costa and Eyler worry that too much may be expected of faculty members at campuses where leaders say they will reopen in the fall. They are being asked to plan for many contingencies, such as moving their classes online if the pandemic re-emerges, even as their own health concerns are coming into focus. “Our brains are not built for that kind of cognitive demand,” Costa says.

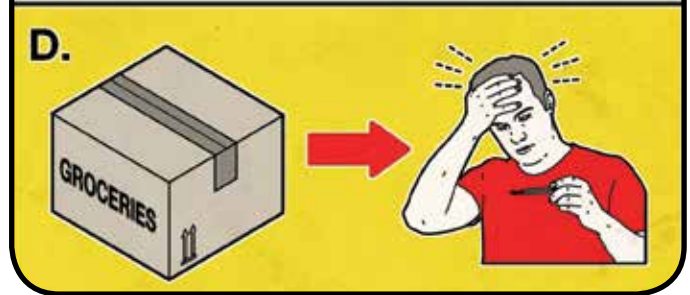
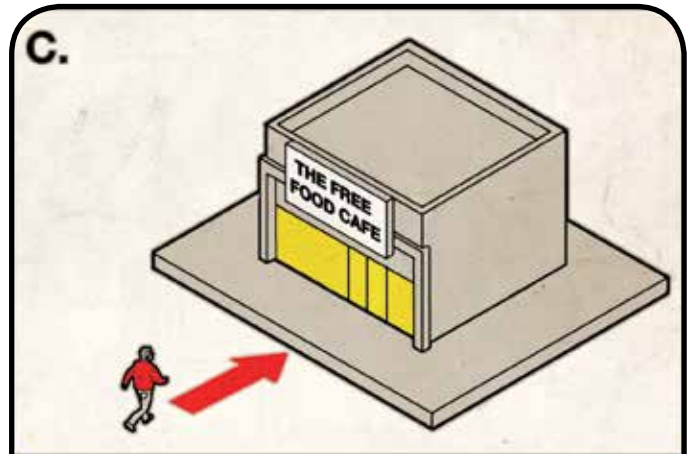
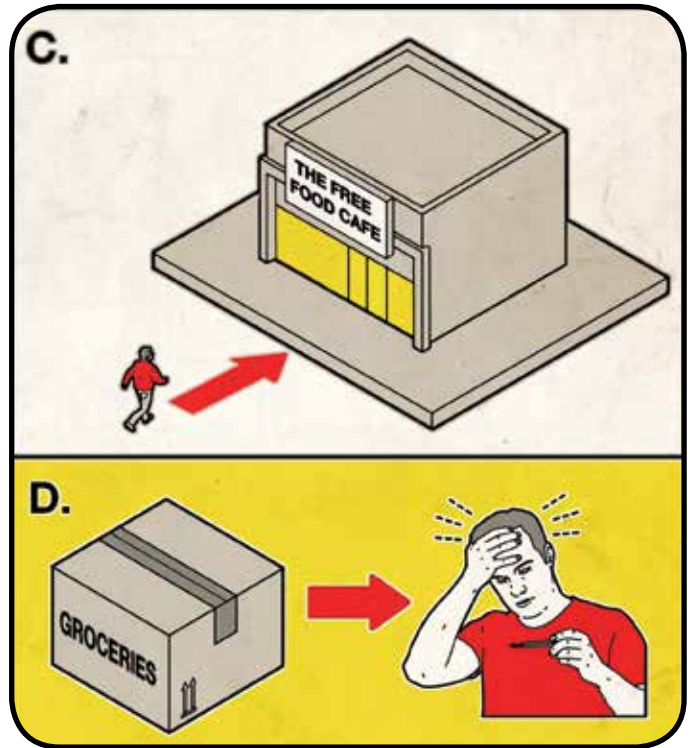
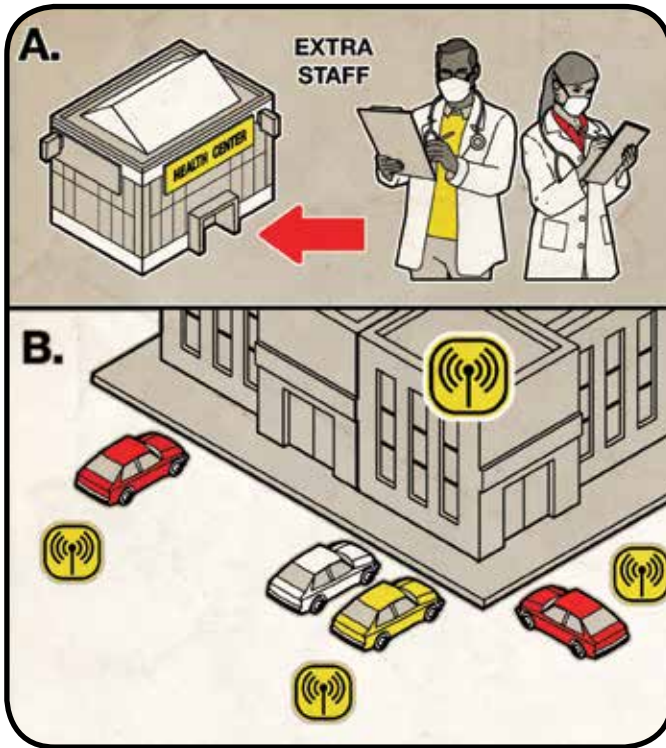
And both have reservations about a teaching model called HyFlex, which has drawn the attention of college leaders as a way to offer students all possible options. The idea is that on any given day, students will have the option of attending a class remotely, in person, or asynchronously. But, Eyler says, “That doubles or triples the work that faculty have to do.”

Secchi, at Iowa, would agree. She is spending her summer, unpaid, creating several versions of her course: in-person, hybrid, and fully online. Nobody has asked her to do that, she notes, but neither has anyone told her exactly what is going to happen this fall. She wishes there were blue-ribbon panels creating a repository of best practices for teaching during the pandemic. But she knows that’s unlikely to happen, given the lack of coordination anywhere else, whether it’s public-health protocols or reopening businesses.

“What I see happening in higher education is happening in every other domain of society,” she says. “We are grownups, but we don’t really have a clue what we’re doing.” ■

Beth McMurtrie writes about technology’s influence on teaching and the future of learning.

Originally published June 3, 2020



What College Students Need Now

**They're more vulnerable than ever,
physically and financially.**

By SARAH BROWN and KATHERINE MANGAN

THE STUDENT writing in to Central Piedmont Community College was frantic. Her parents, she told college administrators, had lost their jobs because of Covid-19, and the family was down to crackers and a bottle of water. She didn't see how she could continue her studies when they couldn't even count on their next meal.

The college, in triage mode, responded to her emergency grant application with a gift card to Walmart and a list of area food banks. Administrators know she isn't alone. This fall, every syllabus will include a statement urging students to let their instructors or campus counselors know if they're struggling with food, housing, or other basic needs.

Since early March, the North Carolina college has distributed roughly \$25,000 in emergency aid to about 60 students, mostly to cover utilities, rent, and car expenses, said Dena Shonts, associate dean of student engagement. Working with its foundation and Single Stop USA, a nonprofit that connects needy students with public benefits and community resources, Central Piedmont has distributed hundreds of laptops and Wi-Fi hotspots.

“They’re trying to figure out how to keep a roof over their heads and keep the lights on. Our job is to help triage.”

Amid the chaos clouding plans for the next academic year, one thing is clear: Students will be more vulnerable than ever. Greater numbers are likely to struggle financially or academically, and those with chronic health conditions, compromised immune systems, or disabilities face unprecedented risks — to their well-being and to their education.

To return to campus and succeed, students will require extra support. But in spite of their pledg-

es to protect vulnerable populations, few colleges have spelled out concrete plans to offer it.

When finances are tight and faculty and staff members are already working overtime, even accommodating well-resourced, healthy, and able-bodied students will be a challenge. What will colleges do about those students who are most vulnerable?

The Chronicle asked experts and administrators what high-touch support looks like in a time when public-health experts are urging people to keep their distance.

MOST CAMPUS PLANS for reopening describe a gradual process, with an online component included in the vast majority of in-person classes, to accommodate students who, for health or personal reasons, aren't ready to return to the classroom.

This hybrid approach, recommended in guidance from the American College Health Association, will also allow instructors to more easily convert to an online-only format if there's another surge of Covid-19 cases. It will give students more options than they had this spring, but it will require complicated logistics as they shift between physical classrooms and remote sessions.

Say a student with a health risk starts out learning on campus but decides it's safest to leave halfway through the semester. At the University of Colorado at Boulder, that student will be able to seamlessly transition to online learning, said Patrick O'Rourke, interim executive vice chancellor and chief operating officer. The goal, O'Rourke said during a call with reporters on Tuesday, is for all students to continue their education in whatever way makes sense for them.

“Some vulnerable individuals may need to observe ongoing physical distancing for a more prolonged period of time,” the ACHA guidance states.

Though President Mitch Daniels was one of the first to vow a return to in-person learning this fall, Purdue University is planning for the hybrid approach most colleges are taking. Daniels estimated that 80 percent of the campus community is young and faces “close to zero lethal threat” from Covid-19. As for the other 20 percent — people with underlying health conditions and older people — the university will “consider new policies

and practices that keep these groups separate,” Daniels said.

Such proposals to separate groups suggest that certain students could be told to keep away from campus, said Reginald Fennell, a professor of public health emeritus at Miami University, in Ohio, and a member of the ACHA’s Covid-19 task force. But, Fennell asked, are colleges legally allowed to make such requests?

“I don’t know that we can send letters to students and say, ‘Those with certain conditions cannot return,’” he said. “As a student, I would want to know, how did you get that information?”

Scaling up online alternatives — and ensuring that the quality is roughly comparable to the in-person courses — will take a lot of effort. [At Pepperdine University](#), with an enrollment of 7,600 students, officials say they’ll be adding cameras and recording technology to every classroom on all of its campuses.

Colleges will also need to pay closer attention to students with disabilities, to be sure that revamped courses include the accommodations they’re entitled to, according to Jamie Axelrod, director of disability resources at Northern Arizona University.

A Zoom class that breaks off into group discussions might include an interpreter, for instance, so a deaf student can participate. Instructors who give timed tests to cut down on cheating might need to be reminded to allow extra time for students with attention deficit and other disorders, he said.

Faculty members should also consider alternative ways to test students when online accommodations aren’t possible and should watch out for unintended consequences, Axelrod said. Some online proctoring services that configure students’ computers so that all they see is the test can knock out a blind student’s screen-reader software, for instance.

Despite college leaders’ commitments to supporting at-risk populations, Lee Burdette Williams, senior director for mental-health initiatives at Naspa: Student Affairs Administrators in Higher Education, worries that it’ll be difficult for colleges to assign a top priority to high-need students this fall, given grim financial realities.

As institutions focus on stabilizing enrollment, she’s concerned that some colleges will adopt a flawed mind-set, that “if you have 50 students

without disabilities and 10 students with disabilities, you have to focus on the 50 and whatever it takes to get them to campus,” she said. To ensure that doesn’t happen, Williams suggested, disability-services offices should be given a place at the decision-making table.

FOR RESIDENTIAL-LIFE STAFF, preparing for medically vulnerable students is tricky. It remains unclear how many will return to campus, their plans often depending on local guidance.

In many states, governors are still recommending that people with certain health conditions stay home. For those students, campus housing might be too risky, said Pam Schreiber, assistant vice president for student life and executive director of housing and food services at the University of Washington.

Perhaps her office won’t see an increase in housing-accommodation requests. On the other hand, Schreiber said, Covid-19 has exacerbated psychological distress for some students. Will more students ask to bring support animals to their dorms? If so, residence-life staff will have to consider whether there is a scientific reason not to allow them, to try to mitigate the spread of Covid-19.

Schreiber, who’s also vice president of the Association of College and University Housing Officers-International, said her office is accustomed to handling many accommodations, like visual fire alarms and accessible showers. At Washington, students with disabilities apply for campus housing and then register with the disability-services office, [which reviews and approves requests](#).

In the time of Covid-19, though, medically at-risk students who don’t have a disability — a severely asthmatic student, for instance — might also need an accommodation, like a single room. Schreiber isn’t yet sure how Washington will handle those cases, though she noted that students can include preferred dorm assignments on their applications.

On many campuses, changes in campus dining are in the works, too. [Guidance on shared housing and dining spaces](#) from the Centers for Disease Control and Prevention suggests that people who might be at risk of contracting Covid-19 “should eat or be fed in their room, if possible.”

The reopening plans devised by the University

of Colorado at Boulder and Indiana University call for retrofitting campus dining halls for delivery and takeout, a move that could make it safer for medically vulnerable people to live on campus. At Pepperdine, university officials say they are working to expand delivery options via third parties like DoorDash and Uber Eats.

AS COLLEGES SCRAMBLE to protect students with health conditions, they'll have to contend with growing numbers who are struggling for other reasons.

"It's unclear who will show up in the summer and fall," said Nikki Edgecombe, a senior research scholar at the Community College Research Center at Columbia University's Teachers College. "When you then try to map out the various vulnerabilities students may be subject to," planning for the semester "becomes pretty complex," she said. "It's hard to conceive of a disruption that operates on so many levels."

The emergency pivot to online courses this spring proved especially stressful for disadvantaged students who need more counseling and advising to stay on track. Many low-income

students whose jobs and families make it impossible to show up, say, Mondays, Wednesdays, and Fridays at 9 a.m.

Breaking semesters into quarters or other short modules could also make the term less daunting for students struggling to balance child care, work, and studying, Pollard said. Those with school-age children could once again be home schooling if another wave of the pandemic hits.

"Colleges were able to pull off Herculean efforts to get students through the last seven weeks of the spring term," said Shauna Davis, executive director of holistic student supports for Achieving the Dream, a nonprofit network of community colleges working on student success. "The equity gaps we uncovered are only going to get broader."

Many campuses plan to rely more on early-alert systems that ping advisers when students' grades slip or they miss a few classes. The advisers can then connect students with tutors, share time-management tips, and, when needed, steer them toward emergency financial aid.

Students will also need to be directed, through links embedded in courseware, to supports like career and academic advising that have proved key to motivating struggling and overwhelmed students, retention professionals say.

Tutoring, too, will need to be embedded in courses that are partially or completely online. As classes kick off, faculty members will face more than the usual uncertainty about how far behind students have fallen during this chaotic spring semester. With many of the preplacement testing centers closed over the summer because of the pandemic, professors probably won't know which students need remedial support, and how much.

Katie Hern, an English instructor at Skyline College, in California, said the graduate students participating in her English class, which moved online this spring, continued to take the class remotely, where she helped identify and teach students who showed signs of struggling. When classes were in person, some of that help would have taken place in campus tutoring centers or in person after class.

Even as students begin returning to campuses, many will continue to need laptops and Wi-Fi hotspots, or at least parking lots where they can tap into expanded campus Wi-Fi, according to a

"It's hard to conceive of a disruption that operates on so many levels."

and first-generation students struggled when the structure they needed to stay on course was shattered, said DeRionne P. Pollard, president of Montgomery College, a two-year institution in Maryland.

A campus taking the "hybrid" approach to reopening could head off those problems with different scheduling options. At Montgomery, which has announced plans to start the fall semester online, synchronous classes that require students and instructors to be online at the same time will offer a more structured schedule for those who need it. Asynchronous classes, which can be accessed any time, will provide more flexibility for

[survey](#) conducted by Educause. Under social-distancing rules, computer labs will accommodate fewer students than they did before.

San Juan College, in New Mexico, posted [a map](#) of places, including campus parking lots and outside local businesses and churches, where students can tap into Wi-Fi. It even lists locations where students living in remote parts of nearby Native American reservations can log on. The college has also lent students hundreds of laptops and mobile hotspots, and plans to expand that effort in the fall.

WHEN the pandemic tanked the economy, a wave of college students suddenly faced new financial uncertainties. As a result, the safety nets designed for the low-income students that colleges already knew about are expanding. Pollard, of Montgomery College, said she expects more students to appeal their financial-aid awards using a new online tool called [Swift](#), which helps them craft their pleas.

There are limits, of course, to how much more money colleges will have to distribute. But if students who aren't accustomed to asking for help just assume they can no longer afford college, the impact on the bottom line could be far worse.

"When you have a working-class family that's getting by, and suddenly one or two members aren't working, covering college tuition may be way down on the list," Pollard said. "They're trying to figure out how to keep a roof over their heads and keep the lights on. Our job is to help triage."

Colleges should reach out to students who may need help in ways that don't feel stigmatizing, several student-support experts noted. Calling a place where students can pick up free food a cafe, or making it part of a campus hub, can make students less reluctant to come in.

Institutions should try to keep their food pantries active, regardless of their campus operating status, because the number of students who need them is likely to grow, said Micah Griffin, director of health programs at Kingsborough Community College, which is part of the City University of New York. Kingsborough will continue to do just that, stocking its pantry with produce from its own urban farm.

With ballooning demands on campus resour-

es, and the likelihood of shrinking tuition dollars and state support, colleges will need to expand efforts to connect students with the "low-hanging fruit" of existing campus and community resources, said Sara Goldrick-Rab, a professor of higher education policy and sociology at Temple University and founder of the Hope Center for College Community and Justice.

"Every college should be absolutely certain that every student knows how to access unemployment insurance, knows whether they're eligible for a stimulus check, and how to connect with [nutrition assistance] programs like SNAP and WIC," Goldrick-Rab said.

FOR financially struggling students, campus health centers might be their primary access to medical care. When colleges reopen, health centers will very likely see a higher volume of requests for care, as more students potentially contract the virus.

Fennell, the Miami emeritus professor, said he's worried that student health centers won't be prepared to contain a potential outbreak and accommodate vulnerable students. Some small colleges staff clinics with nurse practitioners and don't even have a full-time clinician, he said. What's more, campus health services are often funded mostly by student fees, which could decline if many students don't return to campus in the fall.

At CU-Boulder, the university's student medical center already has a staff of 125, so the institution is prepared for many anticipated health needs, O'Rourke said. But officials plan to make "some targeted hires" for health-focused roles, including contact tracing, he said. The institution has set aside up to \$15 million for the investments needed to prepare the campus for the fall.

Other colleges are turning to outside vendors to fill in gaps in their health coverage. Institutions like Los Rios Community College and Duke University are now forming partnerships with Timely MD to serve students virtually. With a few taps on an app or website, students can quickly connect with a doctor or therapist via video or phone, at any time of day.

Students don't have to pay for Timely MD telehealth visits. For colleges, the cost depends on the number of students enrolled and services offered.

Telehealth options will be crucial this fall, said Alan Dennington, chief medical officer at Time-ly MD. Some medically vulnerable students may feel uncomfortable sitting among other people in the waiting room of the campus health center and prefer to do virtual appointments from their dorm room. Others may still be learning remotely and need access to a doctor or psychologist who's licensed in their state. Or students may need to talk to a therapist at 2 a.m., when the counseling center is closed.

On the mental-health front, colleges should

“When you have a working-class family that’s getting by, and suddenly one or two members aren’t working, covering college tuition may be way down on the list.”

keep in mind that the pandemic is not affecting students equally, experts say. For instance, in many states, black students are significantly more likely to have family members who have contracted or died from Covid-19.

Counseling centers will need to directly reach out to students of color and other populations who are experiencing a lot of stress and yet don’t often seek out mental-health services, like international and commuter students, said Sharon Mitchell, senior director of counseling, health, and wellness at the University at Buffalo and president of the Association for University and College Counseling Center Directors.

Creating support communities — perhaps therapy groups led by counselors, or peer-led support groups — is one option. Harvard University recently restarted its support group for students of color. At Hunter College, part of the City University of New York system, the counseling center has started a support group for students experiencing personal or academic hardship as a result of Covid-19. The American College Health Association also recommends holding virtual “Let’s Talk” sessions — brief, drop-in consultations with campus therapists — geared toward underrepresented students.

Students with existing mental-health disorders are also vulnerable. Colleges must prepare for the fact that continued social distancing could lead to worsening isolation and loneliness, Mitchell said. Anxiety — already the top reason students seek counseling — is likely to spike even more, she wrote in an email.

Beyond formal medical and mental-health care, colleges can add tips and resources for struggling students to campus websites and course syllabi. A professor of biology and biomedical ethics at Pima Community College, in Arizona, has created a webinar to help students recognize and mitigate stress.

Trading phone numbers with classmates, watching funny TV shows, deep breathing, and long walks are all useful tips to add to the syllabus, according to Mays Imad, who coordinates Pima’s Teaching and Learning Center.

Also important, for all students but particularly those questioning whether they belong in college, is creating opportunities for students to feel they’re part of a community, Imad said. Learning groups and clubs and activities that can be converted to virtual platforms can help mitigate feelings of loneliness and isolation.

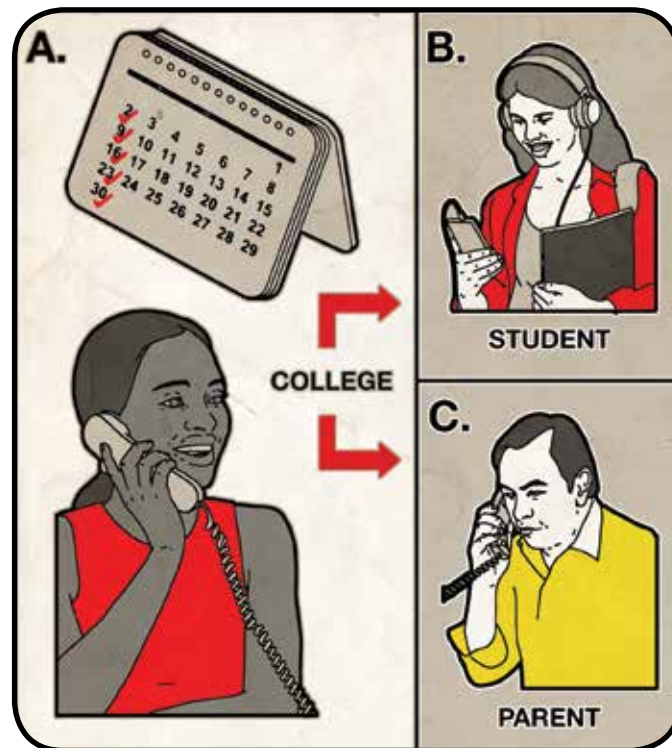
“Getting students connected with things that matter to them,” Burdette Williams said, “that’s the retention tool for the ages.” ■

Sarah Brown writes about a range of higher-education topics, including sexual assault, race on campus, and Greek life. Katherine Mangan writes about community colleges, completion efforts, and job training, as well as other topics in daily news.

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The New Communication Plan? Overcommunication

In the midst of a pandemic, there's
no such thing as too much transparency.



By **LEE GARDNER, EMMA DILL,
EMMA PETTIT, and MICHAEL VASQUEZ**

“**F**AU has 26 positive Covid-19 cases. But why don’t you know that?” That headline on an April 10 story in Florida Atlantic University’s student paper couldn’t have meant good news for the institution’s leaders. They had informed the community of the university’s first Covid-19 case on March 17, but had not disclosed subsequent cases. When the paper’s editor in chief, Kristen Grau, asked for an updated total, she learned that now 19 students and seven employees had tested positive.

Why had those cases not been announced? Joshua Glanzer, a university spokesman, told Grau that since the campus had essentially shut down, FAU was relying on self-reports. “Therefore,” he said, “our numbers may not represent the true number and reflect students, faculty, and staff who are learning and working remotely.” Glanzer did not respond to her request for more details on the positive cases, such as where the students lived, or what buildings the seven employees worked in.

There “was no real risk of the virus spreading on our campuses” once the university went remote, Glanzer wrote in a statement to *The Chronicle*.

That response stands in marked contrast to those of the Universities of Florida and of South Florida, which post logs of their Covid-19 cases and update them as new cases become known. The University of Florida’s public log states whether the case is a student or employee, the university building most affected, and whether the person lives on campus.

How much to say, when to say it, and to whom, are key questions for higher education leaders as they approach the high-stakes gamble of whether to reopen their campuses in the fall. While the students, faculty, and staff members who’ve experienced months of disruption — and local businesses who depend on lively campuses — would love to see that happen, reopening will present big risks. A failure to communicate effectively now may cause confusion and suspicion. If things go wrong, resulting in a wave of infections and even death, shattered public trust may stain a college’s reputation for decades.

Already this summer, college leaders must ex-

ert exquisite control over how they communicate about their plans, balancing rosy promises of a fall on campus with a clear commitment to the highest standard of care. Playing down the dangers could, come fall, turn a challenge into a fiasco.

Studies show that “people would rather have the truth,” said Michael Cherenon, an executive vice president at SCG Advertising & Public Relations. “The trust-building that happens from the exchange of accurate information is more powerful than the negative headline.”

STUDENTS are perhaps the group yearning most for a normal campus experience. Colleges want the same thing, which makes it all the more important — and difficult — for them to be honest about the risks of doing so. Many colleges, hoping to keep enrollments up, have already announced that they will open their campuses with appropriate physical distancing. But look carefully at the wording of most of the announcements: They “allow the institutions some wiggle room and some outs,” said Teresa Valerio Parrot, a principal of TVP Communications, a company that consults with colleges. “They’re using language like they’re ‘planning to open,’ or ‘we are putting in motion efforts.’” The idea behind such wording: to keep plans just conditional enough that, if they change, it won’t be seen as a broken promise.

Already, many colleges have adopted a strategy of communicating frequently to avoid the impression that they are playing a game of bait-and-switch. While plans are developing and students are still making up their minds, colleges have an incentive to be in touch often and in detail about what’s going on. They should be including parents in their messaging, too. Parents are often an important part of the early college search, then cede final decisions to students. But worries about Covid-19 “are pushing parents back into more of the front seat with their student this late in the game,” said Kirsten Fedderke, a senior vice president at Lipman Hearne, a marketing company that works with colleges.

Even if a college is still formulating its plans, said Suzanne Grigalunas, an enrollment market

strategist at Lipman Hearne, parents “want to be in the loop on those plans as they evolve and to hear continual communication about deadline changes or housing changes, or how in general the schools will be handling it.”

The “how” of decision-making at colleges may be almost as important to students and their parents as the outcome of those decisions themselves. “Families need to hear that leadership is in place,” said Parrot, “and that decisions are fact- and data based. And they need to know that institutions have students’ best interests at heart.” If students and their parents feel they understand why decisions are being made, they are more likely to accept them with good will.

Managing expectations will require deft needle-threading and, perhaps, new tactics. Cherson identifies one such practice — “attitude inoculation,” a strategy that involves preparing your audience for what might happen by, essentially, giving them a little bit of bad news in advance.

“Let your university community know that they should expect to have cases on campus,” he said. “They should expect that there might be disruption. ... They should be inoculating themselves by preparing the various constituent groups for what might be the inevitable.”

How to convey that information? With a personal touch. While emails and video town halls are important for getting the word out to the wider community, Grigalunas said she’s heard parents say that much of the communication they’re receiving from colleges is transactional and informational. Colleges shouldn’t neglect to acknowledge the anxiety of the moment and “the enthusiasm and the hope and some of those more positive emotions that are tied with the start of a college experience.”

Beginning after spring break, about 200 employees at the University of Kentucky called and spoke with every one of its 30,000 students over the course of about a month. Students were asked to rate their transition to remote learning so far, and those who indicated they’d been having some bumps received follow-up contact. Even if students and their families don’t agree with every decision the university makes regarding the virus, said Jay Blanton, the university’s chief communications officer, “they would have

to see that, hey, this place took the time to care about my son or daughter and check on them.”

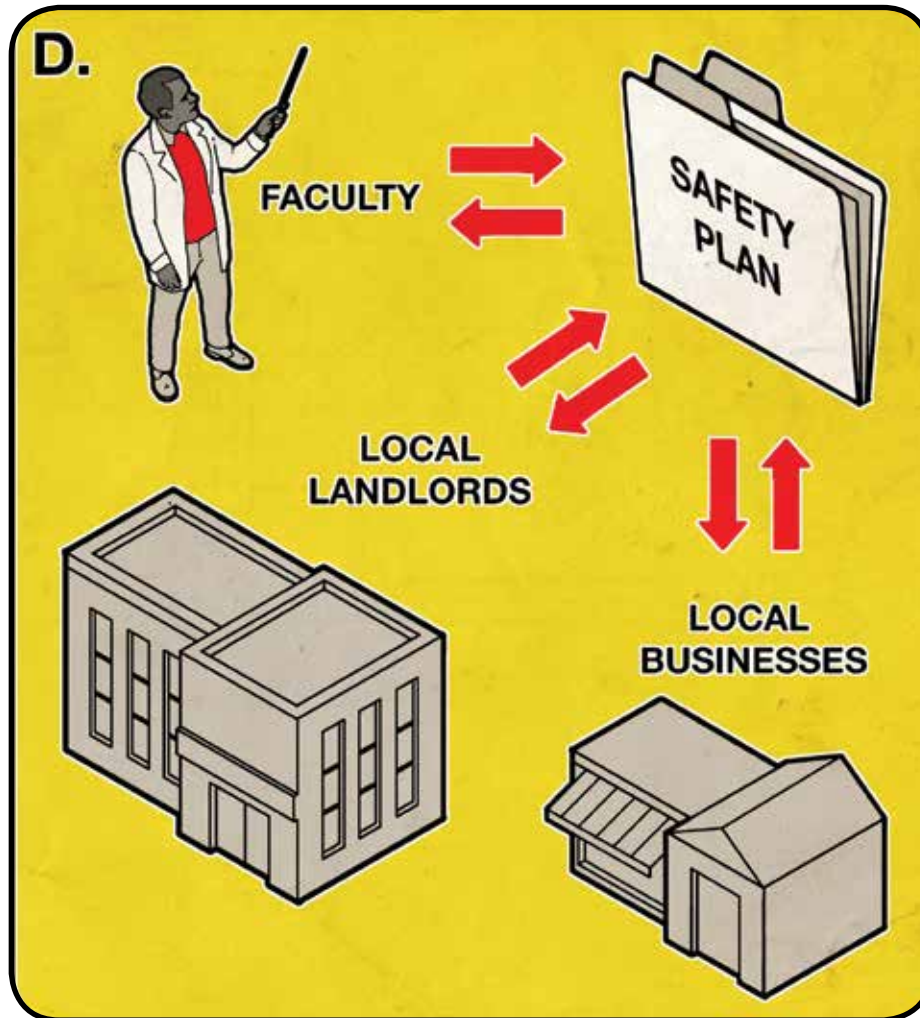
Colleges will need good relationships with students and parents for some of the tough conversations to come. If classes are held online this fall, for example, many families will expect to pay much less. A survey of parents of college-bound high-school seniors conducted by Lipman Hearne found that 60 percent of respondents expect discounts on tuition for online-only semesters — discounts that most colleges, already facing precarious finances for the fall, are not offering so far.

Institutions will need to make a case for their decision either way — on the safety of their campus if they reopen, and on the value of their courses if they have to return to online teaching.

“Academic freedom guarantees our right not only to decide what to teach but also how to teach.”

If they choose the latter, they need to be candid about why it costs what it does. Colleges are typically loath to discuss their finances publicly, but Covid-19 has “given them a bit of cover,” Parrot said. “Institutions are getting a little bit more leeway to roll out where their finances are at this moment, because most of higher education is in a really difficult spot.”

EMPLOYEES are probably more sensitive than many students to the risks of returning to campus. That makes sense: On a typical campus, faculty and staff members are in close contact with students. There are more faculty age 55 or older than in the general work force, according to a recent report from the



College and University Professional Association for Human Resources. Because older people and those with underlying medical conditions seem to be at a higher risk for severe illness from the coronavirus, those employees, especially, have reason to worry.

Particularly in the liberal arts, “we’re meant to be in little rooms, sitting around, talking,” said Kristalyn Shefveland, an associate professor of history at the University of Southern Indiana. Shefveland wonders what those classrooms would look like with social-distancing measures in place. Would she enter the room first and just stay in a corner?

At Temple University, where Devon Powers is an associate professor of advertising and media and communication, some buildings don’t have

women’s bathrooms on every floor, so the idea that everyone could just wash their hands between classes seems implausible.

Faculty members, central to carrying out the missions of their institutions, need more than just frequent updates from college leaders. They want to be in on the decision-making. As colleges develop their plans, task forces have multiplied, some of them with faculty representatives.

Remember that communication with employees has a ripple effect: If administrators are assuring students and others that they’ll be safe but unconvinced professors are posting concerns about reopening on social media, “those stories become dissonant,” said Lipman Hearne’s Grigalunas, and could undermine the overall message.

Mark McClellan is the acting associate vice chancellor for general education at Arkansas State University-Mid-South, a community college near the Arkansas-Tennessee border. McClellan said he's been hosting virtual listening sessions with no more than four faculty members at a time to get a sense of their concerns. He recommends small groups because at full faculty meetings, the same people tend to talk, he said.

Other colleges are asking faculty members to share their concerns electronically. Joyce McConnell, Colorado State University's president, told people on campus to email their questions about how Colorado State plans to recover from the continuing Covid-19 crisis. About 21 pages of questions came in, said a university spokesman. She and members of her leadership team then answered the most common questions — like, how will CSU keep everyone healthy? — in [a video](#). "I'll caution you that this would not fly on TikTok," McConnell said in an email to the Colorado State community. This video is "long and substantive."

Texas Christian University distributed a survey to employees, including the faculty, which Jason Helms, an associate professor of English, found a bit biased. It seemed to him the questions were posed in a way that revealed a preference for face-to-face instruction. He remembers one question as some variation of, If you're uncomfortable with returning to campus, what kinds of things would make you feel more comfortable? Helms said he answered: "No cases in the area."

Helms said he's staying off campus this fall no matter what. His 2-year-old daughter has a congenital heart defect, and he can teach remotely. He's got a doctor's note if need be. His case, he said, is clear cut. He's more worried about staff members and nontenured faculty, who aren't able to advocate for why they should work remotely, or who can't perform their jobs virtually.

Some colleges are preparing for the inevitability that some faculty members won't want to return to campus this fall. The University of Oregon asked faculty and graduate employees who are at a "higher risk," according to the Centers for Disease Control and Prevention guidelines, to submit requests to continue working remotely through the fall term — a move that was criticized by the faculty union.

Many instructors have reservations about disclosing sensitive medical information, and are concerned about how that information will be used, David Cecil, the union's executive director, [wrote](#) to the university's associate general counsel. The union wants to make sure protections against misuse of the information are in place.

And the union also demanded to bargain with the university regarding reopening the campus in the fall. "Academic freedom guarantees our right not only to decide what to teach," Cecil wrote, "but also how to teach."

Some faculty members worry that they'll be asked to teach in unsafe circumstances to protect their institutions' bottom lines. They want leaders who will listen to those concerns, answer

“In the absence of communication, people are going to assume the worst.”

with as many specific details as possible, and admit what's still unknown.

Even with clear lines of communication, faculty members have reason to be skeptical of bullish statements about reopening campuses. As Kevin R. McClure, an associate professor of higher education at the University of North Carolina at Wilmington [said on Twitter](#), preparing for face-to-face instruction would be the biggest logistical challenge any institution has ever attempted. And it's happening at a time when budgets are shrinking.

It's important to make that clear to the faculty and staff too. For example, the video put out by McConnell, CSU's president, came with a clarification. It was filmed when the State of Colorado was predicting \$2 billion in budget cuts for the 2021 fiscal year, which would "profoundly im-

pact” higher education, she wrote in her message to campus. By the time the video was distributed, that estimate had topped \$3 billion.

A **AMERICAN CITIES** have taken huge hits to their budgets, too — especially college towns. When students left en masse this spring to limit the spread of Covid-19, their absence highlighted the ties between colleges and their municipalities.

In Berkeley, Calif., local restaurants have seen March-through-May revenue drop by about 90 percent compared with last year, as students left the University of California at Berkeley campus and shelter-in-place orders were imposed, said Mayor Jesse Arreguín of Berkeley. Some businesses have had to lay off employees, while others have closed altogether.

If students don’t return to campus in the fall, the city could see a significant tax-revenue hit. Businesses wrote a letter to the university asking its leaders to consider in-person instruction in the fall and for an update on campus planning, Arreguín said.

Stephen M. Gavazzi, a professor at Ohio State University who trained as a marriage and family counselor, said the relationship between colleges and local communities is like a marriage: It requires mutual effort and comfort. The only difference? Colleges can’t divorce their college towns. That makes transparent and regular town-gown communication critical, he said, especially during a crisis like Covid-19. “In the absence of communication, people are going to assume the worst,” he said.

UC-Berkeley hasn’t made a final decision about how instruction will be conducted, but the chancellor, Carol T. Christ, has indicated that some or all classes might be delivered remotely. Mayor Arreguín is in regular contact with the chancellor, he said, and is involved in discussions about the format of the fall semester.

Iowa State University’s leaders have increased the frequency of their contact with the community, now meeting every Thursday evening via videoconference with Story County’s mayors, city managers, and other public officials. And the International Town & Gown Association has been holding focus groups via Zoom of college

and municipal leaders to discuss responses to the pandemic.

The main concern they’re hearing? How to keep both towns and campuses safe. That’s “really emerged as the driving factor of how they’re going to make decisions,” said Janet Lillie, an assistant vice president for community relations at Michigan State University and a moderator of the sessions.

As much as college towns would like students to return in the fall, if they do it will probably strain town-gown relations. Colleges will need to promote responsible student behavior beyond their boundaries — a challenge even under normal circumstances. Institutions may want to consider an idea raised in the town-gown association’s focus groups: asking students to sign a social contract.

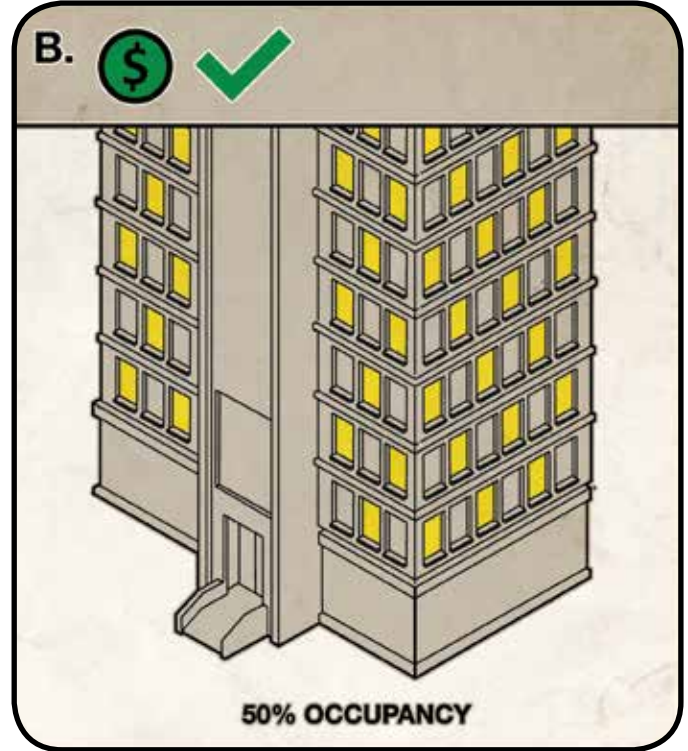
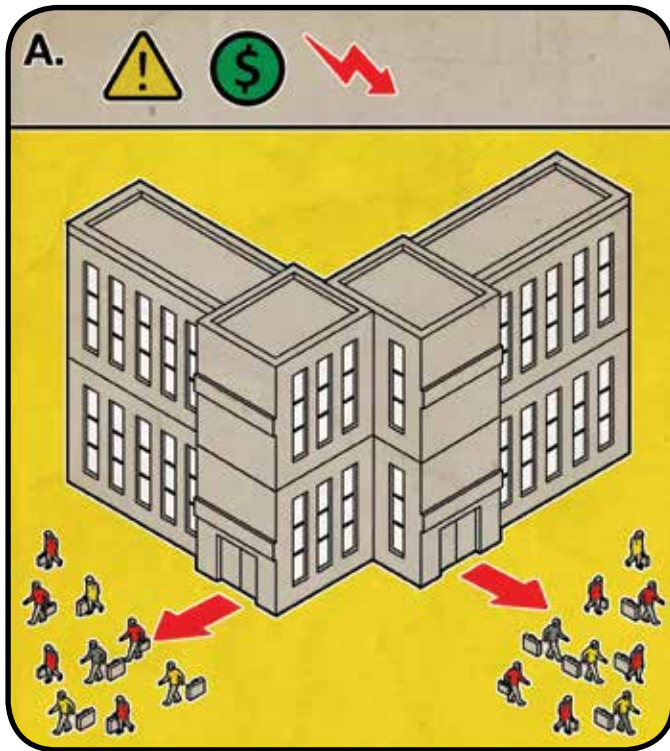
Effective measures to promote student and community health will require cooperation from both groups, said Michael Newton, Iowa State’s associate vice president for public safety and chief of police. For example, to get students to wear face masks on a regular basis and promote the health of the campus and community, the institution will need the support of local businesses and other areas visited by students.

“If we want students, staff, and faculty to wear those masks, but they’re not being encouraged in retail establishments or apartment buildings across the community,” he said, “then we’re only winning half of the battle.”

If colleges plan to open their campuses, they must be able to explain, in depth and repeatedly to all their audiences, how they will keep everyone safe. People on campus and nearby will be trusting institutions with their lives, and all must feel confident in that trust. Grigalunas puts it this way: “It’s not just about your packaged brand’s voice.” ■

Lee Gardner writes about the management of colleges and universities, higher-education marketing, and other topics. Emma Dill is an editorial intern at The Chronicle. Emma Pettit is a staff reporter at The Chronicle. Michael Vasquez is a senior investigative reporter.

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What's the Plan for Budgets Next Year? Improvise

Revenues are fuzzy, and every new safety measure carries a price tag.

By **SCOTT CARLSON**

IN THE DRIVE TO REOPEN CAMPUSES — in the fall? in the spring? — college leaders have to consider a dizzying array of challenges: how often to test, how to rejigger classrooms and residences, what technology to acquire for hybrid courses, and what kinds of protective gear professors and staff members need, among many others.

These challenges — all of which are moving targets — carry big implications for revenues and expenses. Money, said Elizabeth A. Hardin, vice chancellor for business affairs at the University of North Carolina at Charlotte, is the “binding constraint,” the major limiting factor on the feasibility of opening. To plan a budget for 2020-21 is an exercise in improvisation, not usually the place where chief finance officers — who deal in hard numbers — like to be.

Just consider the financial calculations concerning Covid-19 testing: Mecklenburg County, home of the university, can conduct 700 to 900 tests a day and is hoping to increase that to 1,800 a day. Last fall the university had 25,000 undergraduates on campus, so it has to be extremely intentional about who gets tested and when. The cost of the test is one thing. But what is the cost of processing the test? Of setting up the area where people take

“The truth is, across most of higher ed, you don’t have a sustainable model.”

the test, or the salaries of the people who administer it? Of delivering the results in a timely manner? Of the database used to store information? Of the space, utilities, and staffing where all this testing takes place?

You can see, Hardin noted, that this gets complicated quickly — and that’s just testing. Now apply that thinking to the puzzles surrounding enrollment, academic programs, distance education, dining, athletics, and so on. Then layer in the effects of the recession, which will strain state coffers and family incomes, and further pummel col-

lege and university budgets. And it’s imperative to figure out all of this soon, given that nearly every institution will have to line up agreements with faculty members and service providers over the summer to cover the year.

Perhaps the only certainty about budgets for the coming year is this: They’re going to have to be malleable enough to adapt to a wider range of scenarios than anyone can remember. “It is entirely possible that the biggest risk for institutions financially is to come back in the fall and then have to send people home again,” Hardin said.

THE ENROLLMENT PICTURE FOR FALL is perhaps the most important and confounding factor for a September opening — a factor that will dictate everything else for tuition-driven institutions. A majority of the more than 800 colleges tracked by *The Chronicle* have declared that they will reopen their campuses in the fall — and many presidents have noted that deposits toward fall enrollment have held up pretty well, given the extraordinary circumstances. Some presidents — like Mitch Daniels, of Purdue University — have been downright insistent about the imperative to open, despite numerous editorials questioning how realistic that position is.

A student may plop down a few hundred bucks to hold a place at a college, but that doesn’t mean the student will then spend tens of thousands of dollars if the college experience seems to be diminished. Robert Kelchen, who recently published [an opinion essay](#) in *The Chronicle Review* questioning the feasibility of a fall opening, notes that predicting enrollment is not nearly as important as determining the net revenue from that enrollment. It’s unclear how much colleges will have to discount tuition to draw students. (Perhaps a tougher problem: how much colleges will have to discount tuition if fall ends up entirely online.)

In his essay, Kelchen, an associate professor of higher education at Seton Hall University, suggested that colleges might be bluffing about their plans this fall, to keep students enrolled or to appease local policy makers. But Rick Staisloff, a former small-college financial officer who advises colleges, wonders if signaling a fall opening is more likely an avoidance strategy.

“I never think of people in higher ed as pok-

er players,” he said. “I think it has more to do with their reluctance to wrestle with some hard questions.”

Traditionally, faculty members chafe at analyses of which academic programs generate revenue and which do not. As a result, many colleges struggle to truly understand how they make a living. The coronavirus only complicates that question further. Typically, institutions get infusions of cash in the fall and spring — and perhaps a smaller financial boost in the summer — and they balance those against the costs of their academic programs. Since the 2008 recession, more colleges have given attention to understanding the costs of their academic programs and administrative departments.

“But candidly, most colleges probably don’t really know what drives their business model,” said Staisloff.

Having that data will be essential to successfully opening in the fall. Colleges cannot be in the position to offer all the programs they had before Covid-19, Staisloff said, given that enrollment could decline drastically over the coming year.

“You want to know what are the things that you might focus on that help to drive an overall sustainable model,” he said. Knowing the financial details of programs — what drives revenue and expenses, and how those factors might be tweaked to maximize net revenue — will be a key step toward a fall opening.

Colleges that haven’t done an accounting of their academic programs could try a back-of-the-envelope assessment, but a simplistic approach could lead to false results. Small academic programs often actually make a little money despite the widespread perception that such programs are money losers; meanwhile, some large and popular programs have higher costs than revenues. Getting to the bottom line can take time.

“You’re starting way behind the curve,” said Staisloff — but that’s not a reason not to start. “You’re going to need to know that anyway.”

Overoptimism that enrollment will hold up, or that business as usual will return, is counterproductive. “I worry because institutions are waiting, waiting, waiting,” he said. “Institutions will be better off putting some stakes in the ground that they can plan toward sooner.”

COLLEGES ARE PLANNING NOW for the infrastructure they will need in the fall, but typically reliable areas of profit and loss might quickly become complicated.

Student residences and dining stand out among them. Auxiliary revenue can be a major source of income for colleges during a normal academic year. As one small-college president, speaking on background, put it to *The Chronicle* recently: “We make money on the residence halls, break even on dining, and lose money on everything else.”

In the coronavirus era, student residences could instead become a major liability. Many dorms will have excess capacity, as students spread out. Perhaps colleges will have to pay more to have bathrooms cleaned more frequently. But who knows if students will want to live in dorms anyway, if they can’t engage in the free and open socializing that they would normally?

“It’ll be a challenge to get more than half capacity back,” said Kelchen. “Would students even be willing to pay for an entire semester of housing and room and board upfront? Or is it you pay by the month, just in case things get interrupted? Colleges are going to push for the money upfront, but they have to hold a lot of it back in reserve, in case they have to do refunds later.”

Classrooms, in maintaining six-foot distances, could lose more than half their capacity, requiring administrators to commandeer new and unusual spaces across campus. Technology could help, but it is also a big potential expense. Plymouth State University, in New Hampshire, is outfitting half of its classrooms with technology to transmit in-person teaching, in case students can’t attend. (However, moves like that could also be seen as an investment that will expand an institution’s reach and give it an ability to scale up its offerings after Covid-19 subsidies.)

If sports teams can’t come back to play, or if crowds can’t gather in stadiums, institutions both large and small will be affected. Many colleges rely on enrollments from student-athletes, and the biggest sports programs draw money from live games and TV contracts.

For a smaller set of institutions, hospitals are another major risk factor. Hospitals have been losing millions of dollars a day since the coro-

navirus took off. Many major medical institutions have been acquiring smaller hospitals in their regions, expanding their exposure to risk. The Johns Hopkins University has an extensive network of hospitals and clinics, making it the biggest employer not just in Baltimore but in the state of Maryland. The university will have to [cut costs](#) by \$475 million.

Small institutions, without those major infrastructure burdens, have challenges of their own in trying to navigate a fall opening. Mary Marcy, president of Dominican University of California, said it has planned and budgeted for a series of scenarios for the fall.

“We’re building backstops against the budget,” she said, noting that the university is as well positioned as it could be: It recently went through a review of programs, cutting some that were outdated or too expensive to maintain, and raising the student-to-faculty ratio to a more sustainable level. Marcy and other members of the administrative team have taken voluntary pay cuts amounting to \$100,000 (coordinated by the vice president for advancement, to ensure discretion and remove concerns about being judged on the level of sacrifice). Dominican hasn’t yet tapped its line of credit, which could provide a ballast of cash in the months to come.

Deposits are holding up well, Marcy noted, and the university has strong graduate programs that could get a countercyclical boost in the looming recession.

“My assumption is that if we’re not in-person in the fall, I don’t think we can justify the same level of tuition, certainly,” she said. “We’re making all the reductions that we feel like we can and that are strategic — that don’t cut the entire heart out of the institution, because we have to be viable at the other end.”

THE QUESTION of what it would take, financially, to open in September comes with a thought experiment: If health concerns or anemic enrollment makes reopening financially untenable, would it make more sense to simply *not* open? In interviews over the past couple of months, some higher-ed leaders pondered whether it might be possible for their institutions to go into a kind of deep freeze — to

shut down for a year and hope for a Covid-19 vaccine in time for the fall of 2021.

History offers a guide. John Thelin, a historian of higher education, noted in a recent interview with *The Chronicle* that colleges during the Great Depression went into a kind of “semi-hibernation” and “barter economy,” during which people sometimes didn’t get paid, but many colleges survived.

For most institutions today, that is more fantasy than reality. Many colleges have an extensive built environment, carrying with it substantial debt payments and service contracts with third-party vendors. But employees represent the primary expense: Payroll eats two-thirds to three-quarters of an institutional budget. So stopping everything would mean either dipping substantially into the endowment to ensure that the college could continue to pay those people during the closed year, or furloughing or laying off nearly everyone.

Even if faculty and staff members accepted broad furloughs as a way to save the institution — and even if no one picketed on campus or in town — the move could damage such a college in the long run: Talented faculty and staff members could leave for institutions that had found ways to stay open. And who knows if current and prospective students would stick around?

Hibernation “would make perfect sense if you had a long-term sustainable model, and you just had to ride out the storm to get back to doing what you were doing, the way you were doing it,” said Staisloff. “The truth is, across most of higher ed, you don’t have a sustainable model.”

Crises present opportunities, as the saying goes. The hibernation strategy is a form of “hunker down,” and it would not lead to the essential transformations necessary for higher ed, Staisloff said.

To be sure, by September many colleges might be facing some of the toughest choices they have ever had to make — and will face them under duress. To Staisloff, the question is this: “Why not make the hard choices now that let you drive to a more sustainable future?” ■

Scott Carlson is a senior writer who explores where higher education is headed.

Originally published June 2, 2020



Why the Fall Will Be a Liability Minefield

Colleges face lawsuits at every turn, and waivers won't protect them.

By **ALEXANDER C. KAFKA**

WITH STUDENTS, FACULTY, AND STAFF returning to many campuses, this fall will be a Covid-19 liability minefield even under the best of circumstances.

Look what colleges are up against. Start with the mind-boggling public-health logistics of educational and residential life, and possibly of some athletics and other extracurriculars. Add the ebb and flow of off-campus students, visitors, and dining and retail personnel. Bring into the decision-making and approval loops administrators, the faculty, trustees, and layers of unions. Pressure-cook your plans in a matter of months with incomplete and evolving public-health recommendations. Then get the word out effectively before everyone arrives on campus.

College leaders may think they can eliminate liability with the stroke of a pen: Just have people sign waivers.

That's a seductive fantasy. No waiver can re-

“If you’re asking someone to waive something, you’re saying, ‘I might be doing something that could do you harm.’”

solve all those headaches, according to a dozen lawyers who work with colleges.

For starters, waivers wouldn't protect universities from claims by faculty and staff, said Hope Sarah Goldstein, a partner with Bryan Cave Leighton Paisner. An employer cannot ask employees to sign away future claims from workplace-related injuries covered by workers' compensation. Whether Covid-19 is covered under those compensation programs is another matter — one being argued and legislated in some states and cities, Goldstein said.

Most experts agree that for students, however,

some document — if not a waiver then a disclosure or an acknowledgment of risk — can increase awareness of peril and underscore the communal responsibilities shared in a public-health crisis.

“It helps people to become partners in this decision,” said Michael Holt, a partner with Fisher Phillips. “We want to do that with everyone’s eyes wide open.”

It's important that any such document not be what courts call “a contract of adhesion” — one that coerces a signer who has no other options or doesn't understand them, said R. Craig Wood, of McGuireWoods. But if a student is 18 or older, and has the option, without penalty, to take a leave of absence or online class equivalents, an agreement to come to campus might have legal value — at least in some states.

Phrasing matters, and the word “waiver” itself can carry stigma. Waivers, said Holt, “are kind of troubling as a concept. If you're asking someone to waive something, you're saying, ‘I might be doing something that could do you harm.’”

“Waivers’ are a dirty word for lawyers,” said Anthony Russo, of the Russo Firm. Plaintiffs’ lawyers like him, he said, “are going to get our hands on that email discussion” in which someone spells out an unfortunate calculation putting revenue above safety, and that will cast any waiver in a particularly ugly light.

And with waivers, the devil is in the details. For instance, Mark H. Moore, a partner with Reavis Page Jump, said New York State has no general restriction on educational institutions requiring a waiver. It does impose restrictions, however, on waivers for landlords and for recreational activities, so should problems arise in a college dorm or gymnasium, the waiver might not apply anyway.

Beyond moral and strategic problems, waivers don't offer colleges adequate legal protection, and they give a false sense of security, said Mark A. Goode, managing director of the North America public-entity-and-education practice at Willis Towers Watson, a risk-management, consulting, and brokerage company. Waivers “may lessen an institution's effort to build solid risk-management practices,” he said. They are often vague or become outdated, making them “ripe for a plaintiff's attorney to discount or even use the language in a waiver against the college.”

And, he said, “like the signage at a pool without a lifeguard saying, ‘Swim at your own risk,’ it doesn’t necessarily protect the owner if someone drowns. Think of a small child who can’t read, or a person who can’t read English or can’t read at all. Waivers face the same arguments regardless of how well written they appear to be. The general premise is that an organization cannot fully contract away their own liability.”

WHAT COLLEGES CAN DO, lawyers said, is update their student and employee handbooks with temporary online Covid-19 supplements that can be revised as new information about the virus comes to light, and can be phased out once the crisis has passed.

But, says Goode, the handbook updates can be problematic too. They come from three separate domains of administrative ownership: student affairs, the faculty council or senate, and — for staff members — human resources. Will those three administrative arms be big, fast, thorough, and cooperative enough to get the job done? How strict should disciplinary measures be for those in noncompliance? Enforcement has never been higher education’s strong suit, Goode says, especially when educational and social interaction is such a big part of campuses’ culture and appeal.

And, he says, “a written policy that is not enforced may be even worse than not having a policy at all. Reducing protocols to writing may be construed as an admission of identified risk. Failure to enforce policies to protect the public from identified risk could be construed as negligence.”

What would provide some legal protection — for a finite period, and not for gross negligence — would be a federal indemnity bill.

The American Council on Education, with dozens of other higher-education associations, [has asked](#) congressional leaders for “temporary and targeted” liability-exposure protections for institutions that open their campuses this fall. There is some momentum toward a state indemnity bill in New York, and [strong lobbying for it in New Jersey](#) and elsewhere, but colleges function beyond and between states, so it’s the federal protection for which colleges are pushing hardest.

Christopher J. Schmidt, co-leader of the higher-education practice and a class-action lawyer at Bryan Cave, is rooting for such federal protection. “I hope it happens,” he says. “In the face of an unprecedented pandemic, we have already seen an avalanche of litigation. At some point, enough is enough.”

He’s not holding his breath, though. “I’m skeptical. There’s a pretty powerful trial-lawyer bar in our country. I think they will fight tooth and nail to prevent some sort of immunity legislation to be passed on a federal scale or a state scale.”

EVEN COLLEGES THAT DO OPEN and run relatively smoothly will have to guard against a repeat, or variations, of the more than 100 class-action suits seeking tuition-and-fee refunds from spring campus closures.

Plaintiffs’ lawyers in those cases are struggling, said Tracy M. Talbot, a partner with Bryan Cave. That’s partly because most students did complete the semester online. And it’s partly on procedural grounds. For example, it’s hard to establish who constitutes a “class” given varying types of study, who foots the tuition bill, whether students are on scholarship, and so on.

Students enrolling for fall have a clearer view of Covid-19 contingencies and would have a tougher time arguing that campus closures or other limits on in-person engagement came as a surprise. In that realm, lawyers say, transparency and clear communication are colleges’ best defense.

“My guidance,” said John Q. Lewis, of Tucker Ellis, “is to provide the potential students with as much information as you can, including potential options, and if they choose to opt in and accept those risks, that puts the schools in a better position legally.”

Given the many steep obstacles, will two-thirds of the country’s colleges really open in the fall as they plan to? If they do, for how long?

With the projected second wave of Covid-19 infections, said Moore. “I think we are really in for a shock.” ■

Alexander C. Kafka is a Chronicle senior editor.

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2020 Summer BoD Meeting

New Title IX Regulations

U.S. Department of Education

BY BIANCA QUILANTAN AND CRISTINA RIVERO

PRO POINTS

- **The rule mandates how colleges and K-12 schools** must address sexual harassment and assault complaints. It scraps Obama-era guidance and has stricter standards for sexual misconduct reporting.
- **Four lawsuits are challenging the rule.** They were brought on by the ACLU, New York Attorney General Letitia James, attorneys general from 17 states and the District of Columbia, and the National Women's Law Center. They charge that the Education Department violated the Administrative Procedure Act.
- **A draft of the proposed final rule drew a staggering 124,000 public comments.** Many included personal attacks on Education Secretary Betsy DeVos.
- **DeVos' department has resolved sexual misconduct complaints at a faster clip than the Obama administration** due to a new directive to focus on merits of complaints, not systemic issues. This has drawn the ire of advocacy groups.

HOW WE GOT HERE

In 2017, DeVos announced she would scrap Obama-era guidance that directed schools on how to handle reports of sexual assault and replace it with a regulation that restores due process for the accused.

Nearly three years later, DeVos followed through on that promise, and it is among her most hotly contested moves in office.

DeVos unveiled her Title IX overhaul in May while the national coronavirus emergency was ongoing. The decision sparked intense objections from advocacy groups, lawmakers and college leaders who say it should have been delayed while colleges struggle to reopen their campuses and stem financial losses.

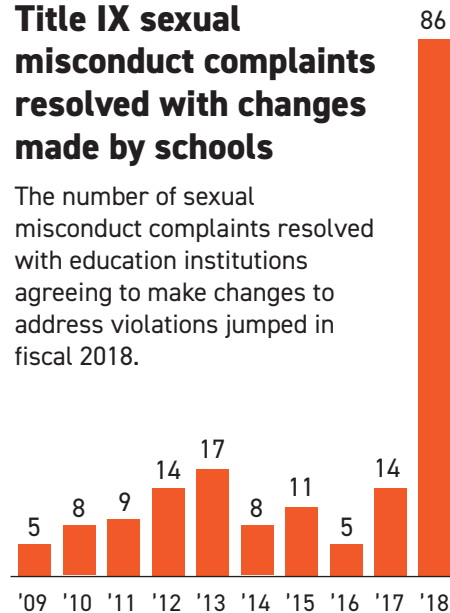
On the flip side, some attorneys who represent students who have been accused of sexual misconduct welcomed the rule, saying this is an ideal time to implement the rule since campuses are empty.

The rule gives new rights to the accused, and requires colleges to respond to formal complaints with courtroom-like hearings. Schools must choose between two standards of evidence to make decisions: a "clear and convincing" standard or a less-restrictive standard that relies on the "preponderance of evidence."

Colleges and universities will also be responsible for posting on their websites materials used to train Title IX personnel, and make them available for members of the public. Title IX hearings are also allowed to occur live or virtually, which could be significant for schools that choose to remain online in the fall.

Title IX sexual misconduct complaints resolved with changes made by schools

The number of sexual misconduct complaints resolved with education institutions agreeing to make changes to address violations jumped in fiscal 2018.



Source: Department of Education

WHAT'S NEXT

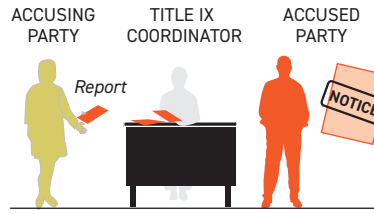
Schools are required to implement this process into their Title IX investigations by Aug. 14. The deadline has been met with fierce pushback from colleges, advocacy groups and lawmakers who cite the coronavirus national pandemic as a reason to hold off on implementing the rule.

The Education Department is also expected to respond to the ACLU's lawsuit by July 31. There could be movement soon in the lawsuit from a group of attorneys general from 17 states and the District of Columbia, which is seeking an injunction.

The attorneys general have asked a federal judge to delay the rule's effective date, and to preliminarily enjoin the rule until "judicial review of its validity has concluded."

Former Vice President Joe Biden, following the release of the rule, also vowed to put a "quick end" to it if he becomes the next president.

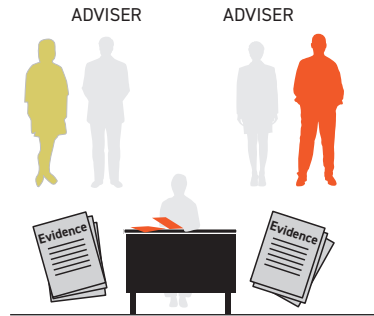
The Title IX investigation process



1 Sexual misconduct incident reported to school

A student reports a severe or pervasive incident to a designated Title IX coordinator.

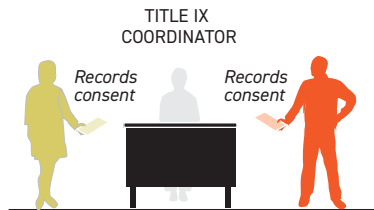
The Title IX coordinator must give written notice of the allegations to both parties involved.



2 Evidence collected, submitted and reviewed

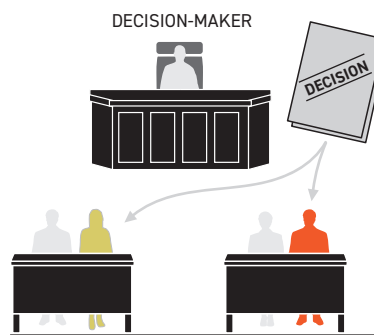
Each party is allowed to select an adviser, who does not have to be an attorney, to submit evidence and represent the individual throughout the investigation.

The Title IX coordinator must also collect evidence. The burden of proof is on universities rather than the parties. The Title IX coordinator will review all evidence while maintaining the accused party's innocence.



3 Medical records consent obtained

The Title IX coordinator must get a party's written consent before using his or her medical records during a grievance process, and also for using an "informal resolution" process, like mediation or restorative justice.

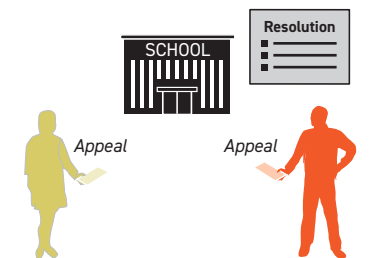


4 Investigative hearing held

A hearing takes place and includes cross-examination by advisers to those involved. The decision-maker cannot also be the investigator or Title IX coordinator.

The decision-maker sends both parties a written determination that includes an explanation of how and why the conclusion was reached.

Note: K-12 schools do not need to hold a hearing.



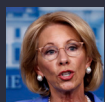
5 School implements a resolution

The school implements remedies for a complainant if a respondent is found responsible for sexual misconduct.

The school offers both parties an equal opportunity to appeal.

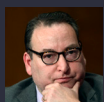
Source: POLITICO staff reports

POWER PLAYERS



Education Secretary Betsy DeVos

Title IX likely will be the main legacy for DeVos in her tenure as secretary. She has said the rule officially codifies protections to hold schools accountable by ensuring survivors aren't brushed aside and no accused student's guilt is predetermined.



Assistant Secretary for Civil Rights Ken Marcus

Marcus' office is in charge of Title IX compliance and investigations. He has touted his office's "improved productivity and efficiency" in closing OCR complaints. During the Trump administration's first two years, Marcus said OCR resolved almost double the number of complaints per year compared to the previous administration.



ACLU

The ACLU is suing on behalf of Sage Carson, manager of Know Your IX, an advocacy group. Ria Tabacco Mar, director of the ACLU's Women's Rights Project, has said the new rule breaks from "25 years of Department of Education precedent."



New York Attorney General Letitia James

James filed the second lawsuit challenging the rule, and didn't join a lawsuit filed by other attorneys general. "Implementation of the Final Rule will drain and divert educational resources from the State's educational institutions," James wrote in the lawsuit.

National Women's Law Center

NWLC lawyers are suing on behalf of the Victim Rights Law Center, Legal Voice and Chicago Alliance Against Sexual Exploitation. The organization was the first group to vow to sue the Education Department for violating the APA when the rule was finalized.



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MAY 2020 | FACT SHEET

EDUCATION

DeVos's New Title IX Sexual Harassment Rule, Explained

In May 2020, Betsy DeVos's Department of Education announced a [final Title IX rule](#) weakening protections against sexual harassment in schools, including protections against sexual assault.¹ If it goes into effect, this rule will make schools more dangerous for all students. This is why it was opposed not only by survivors' advocates and women's rights organizations, but also by colleges and universities, superintendents, principals, mental health professionals, and many other stakeholders. The new rule, which is scheduled to take effect on August 14, 2020, explicitly seeks "a reduction in the number of Title IX investigations" schools undertake by making it harder for sexual harassment victims to come forward, requiring schools to ignore victims in many instances when they do ask for help, and denying victims fair treatment when they try to use the system that is supposed to protect them. That's why the National Women's Law Center will be fighting in court to ensure the new rule never takes effect.

The below step-by-step walkthrough sets out what the new rule means and how it departs from the Department's previous policy.

IGNORING VICTIMS

Schools will be allowed—and in many cases, forced—to ignore sexual harassment victims if: (i) they were sexually harassed in the wrong place; (ii) they asked the wrong person for help; (iii) they haven't suffered enough by DeVos's standard; (iv) they are no longer participating or trying to participate in the school's program or activity; (v) their respondent is no longer at their school; or (vi) they don't submit a written complaint.

- **HARASSED IN THE WRONG PLACE:** Previously, Department of Education policy required schools to investigate all student complaints of sexual harassment, regardless of where the harassment occurred, to determine if the harassment had affected the student's ability to participate in classes and other school activities.² Under the new rule, schools will be required to dismiss all complaints of sexual harassment that occurs outside of a school program or activity. According to the Department, the only incidents that occur within a school program or activity (and therefore cannot be dismissed) are those where the school has "substantial control" over both the respondent and the context of the incident, or those that occur in a building owned or controlled by a student organization that is officially recognized

by a college or university.³

This rule will be devastating for students who are sexually assaulted at a fraternity that isn't officially recognized by their university or in off-campus housing, or who are harassed or stalked online outside of a school-sponsored program, and then forced to continue attending class with their rapist or abuser—or even a class *taught* by their rapist or abuser. This is why [student body presidents](#)⁴ and [fraternity](#)⁵ and [sorority](#)⁶ members expressed “deep concern” about this provision, citing the fact that nearly 9 in 10 college students live off campus and many social gatherings occur off campus. Similarly, in their comments on this proposal, school administrators were [“shocked”](#)⁷ by this [“serious mistake,”](#)⁸ which inhibits their ability to provide a safe environment for their students. Campus police officers agreed, noting that under the proposed rule, “[s]exual assault would be the only crime response restricted in this manner,” as schools would not be restricted from disciplining students for off-campus behavior such as robberies, hate crimes, auto theft, or murder.⁹

- **ASKED THE WRONG PERSON FOR HELP:** Previously, schools were required to address: (i) any *employee-on-student* or *student-on-student* sexual harassment if a “responsible employee” knew or should have known about it, and (ii) all *employee-on-student* sexual harassment that occurred “in the context of” the employee’s job duties, regardless of whether a “responsible employee” knew or should have known about it.¹⁰ A “responsible employee” was defined broadly as anyone whom “a student could reasonably believe” had the authority to redress sexual harassment or had the duty to report student misconduct to appropriate school officials.¹¹ Under the new rule, institutions of higher education will be allowed to ignore all incidents of sexual harassment unless the Title IX coordinator or a school official with “the authority to institute corrective measures” has “actual knowledge” of the incident.¹²

This means under the new rule, colleges and universities can ignore all sexual harassment by a student or school employee unless one of a small subset of high-ranking school employees actually knows about the harassment. Colleges and universities won't have any obligation to respond when a student tells a residential advisor, teaching assistant, or professor that they are experiencing sexual harassment. They will not even be obligated to address sexual abuse of a college student by a

professor—even if the abuse occurs “in the context of” the professor’s job duties—*unless* the student reports it to the Title IX coordinator or an undefined official with “authority to institute corrective measures.”

As survivors from [Michigan State University](#), [University of Southern California](#), and [Ohio State University](#) have pointed out, had the proposed rule previously been in place, their schools would have had no responsibility to stop serial predators like Larry Nassar, George Tyndall, or Richard Strauss—just because the victims reported the abuse to coaches and trainers instead of the “right” employees—even though Nassar, Tyndall, and Strauss sexually abused countless students in the context of their jobs as medical doctors.¹³ Again, it’s no surprise that in their comments opposing this proposal, school officials in higher education were alarmed by the [“terrible consequences”](#)¹⁴ of this requirement.

- **HASN'T SUFFERED ENOUGH:** Previously, schools were required to investigate all complaints of sexual harassment, which was defined as “unwelcome conduct of a sexual nature.”¹⁵ Under the new rule, schools will be required to dismiss all complaints that do not meet one of DeVos’s three stringent definitions of “sexual harassment”: (i) unwelcome “quid pro quo” sexual harassment by a school employee (e.g., “I’ll give you an A if you have sex with me”); (ii) an incident that meets the definition of “sexual assault,” “dating violence,” “domestic violence,” or “stalking” under the Clery Act; or (iii) “unwelcome conduct” on the basis of sex that is “determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access” to a school program or activity.¹⁶

This means under the new rule, schools are arguably required to ignore complaints of sexual harassment unless the victim can show that the harassment has been so severe that it is affecting their ability to do their schoolwork or attend classes. This means many victims will be forced to endure repeated and escalating levels of abuse before they can get help. By the time their school intervenes, they may have already dropped out.

It’s not surprising that school officials commenting on the proposed rule thought this provision made [“little sense”](#)¹⁷ and pushed schools in the [“opposite direction”](#)¹⁸ from student safety. Title IX exists to ensure that sex discrimination, including sexual harassment, is never the end of anyone’s education, and accordingly, schools

should respond to sexual harassment complaints long before students are “effectively denied” equal access to education.

- **VICTIM NO LONGER PARTICIPATING OR TRYING TO PARTICIPATE IN THE SCHOOL’S PROGRAM OR ACTIVITY:**

Under this new rule, for the first time, students will only be able to file a sexual harassment complaint with a school where they are still “participating in or attempting to participate in the education program or activity” when they file the complaint.¹⁹ This means that schools will not be allowed to investigate a complaint of sexual harassment—even if the respondent is still enrolled or teaching at the school—if the victim has already graduated, transferred, or even dropped out because of the harassment. Similarly, if a visiting high school student is sexually assaulted by a college student or a professor during an admit weekend, the survivor will not be able to file a complaint with that college unless they are still planning to enroll there. This will tie the hands of schools that want to respond to known sexual harassment, particularly by individuals who are still affiliated with the school and who could be a serial rapist or abuser. Unfortunately, students and other stakeholder weren’t given a chance to comment on the harms of this rule, as it wasn’t included in the Department’s proposal.

- **RESPONDENT NO LONGER AT THE SCHOOL:** Under the new rule, for the first time, schools will be allowed to dismiss complaints—even during a pending investigation or hearing—because the respondent is no longer enrolled in or employed by their school.²⁰ This means if a student graduates or transfers to another school after sexually assaulting another student, the school will no longer have to investigate or provide supportive measures to help the survivor continue their education. Similarly, if a teacher retires or resigns after his sexual abuse of many students over several years comes to light, the school will no longer have to investigate to determine the scope of the abuse, the impact of the abuse on students, and whether other employees knew about the abuse but ignored it. Without such an investigation, the school would not be able to remedy the hostile environment for the survivors and possibly the broader school community, or take steps to prevent such abuse from happening again. Unfortunately, students and other stakeholder weren’t able to comment on the dangers of this rule, as it wasn’t included in the Department’s proposal.

- **NO FORMAL WRITTEN COMPLAINT:** Under the new rule, for the first time a school will not be required to investigate any report of sexual harassment unless it receives a “formal complaint” filed by the victim (or their parent or guardian) or signed by the Title IX coordinator, requesting an investigation.²¹ This requirement is especially harmful for young children, whose complaints of sexual assault or other harassment are typically made verbally, and students with disabilities that inhibit their ability to read, write, or sign a complaint.

MISTREATING VICTIMS:

Previously, when alerted to possible sexual harassment, schools were required to respond “reasonably” to sexual harassment by investigating, providing remedies, and preventing the harassment from occurring again.²² Under the new rule, schools’ responses are deemed acceptable as long as they are not “clearly unreasonable” or “deliberately indifferent”²³—regardless of whether the victim is able to feel safe again in school.

Educators in K-12 and higher education alike objected to the parts of this rule that were proposed, because, along with the other proposed changes, it will “perversely”²⁴ give students in school—including children—“less protection”²⁵ from sexual harassment than adults in the workplace. They also criticized this rule for creating “confusion and absurdity” for individuals who are protected from sexual harassment under both Title IX and Title VII—such as college and graduate students who are employed by their schools²⁶ and school employees in both K-12 and higher education—but who would receive different and conflicting levels of civil rights protection if the proposed Title IX rule were to be finalized.

UNFAIR INVESTIGATION AND HEARING PROCEDURES

When a sexual harassment victim is able to get an investigation, schools will still be allowed—and in many cases, forced—to use unfair and re-traumatizing procedures that aren’t required in any other investigations of student or staff misconduct—including: (i) creating unnecessary delays, (ii) presuming the harassment never occurred, (iii) re-traumatizing the survivor through direct, live cross-examination, and (iv) using an unfair standard of proof that tilts the investigation in favor of named harassers.

- **UNNECESSARY DELAYS:** Previously, the Department of Education recommended that schools finish

investigations within 60 days.²⁷ If there was an ongoing criminal investigation, schools were required to “promptly resume” the school’s investigation as soon as the police had finished gathering evidence—not wait for the ultimate outcome of the criminal investigation (which can take a very long time).²⁸

The new rule drops the 60-day recommendation and allows schools to delay their own Title IX investigations for an unspecified period if there is an ongoing criminal investigation²⁹—despite the fact that such investigations can be very lengthy. The new rule ignores the fact that Title IX is a civil rights law, not a criminal law, and that schools are required to conduct their own investigations *independent of the police*. The rule will make it particularly difficult for K-12 students who suffer sexual abuse to have a timely Title IX investigation, since most K-12 employees are required by state law to report child sexual abuse to the police,³⁰ which will trigger a criminal investigation. Student survivors have noted that many school investigations already take [more than 180 days or even up to 519 days](#) to resolve.³¹ State attorneys general commenting on the proposed rule pointed out that creating additional grounds for delay will only further [“re-victimize”](#) survivors “as the process drags on without resolution or relief.”³²

- **PRESUMPTION OF NO SEXUAL HARASSMENT:** Under the new rule, for the first time, schools will be required to start all sexual harassment investigations with the presumption that no sexual harassment occurred³³—even though no such presumption is required for other school investigations of student or employee misconduct, like physical assault or religious harassment. In other words, schools will be effectively forced to presume that all students who report sexual harassment are lying. This presumption, which improperly imports a criminal law standard into a non-criminal investigation, perpetuates the sexist myth that women and girls frequently lie about sexual assault and other forms of sexual harassment. As the state attorneys general and campus police officers pointed out when opposing the proposed rule, this requirement not only [“improperly tilts the process”](#) in favor of named sexual harassers³⁴ but also wrongly imports a criminal law presumption into non-criminal investigations.³⁵
- **RETRAUMATIZING LIVE CROSS-EXAMINATION:** Previously, schools were “strongly” encouraged to have students submit their investigation or hearing

questions to a “trained third party,” who would ask the questions on their behalf.³⁶ Under the new rule, in higher education, survivors and witnesses in sexual harassment investigations will be forced to submit to cross-examination “directly, orally, and in real time” by the respondent’s “advisor of choice” if they want their statements to be considered as evidence by the school.³⁷ The respondent’s advisor could be an angry parent or fraternity brother of the respondent, a faculty member who oversees the survivor’s academic work, or an “attack dog” criminal defense lawyer—even if the survivor cannot afford an attorney. This live, adversarial cross-examination will occur without the legal protections, including rules of evidence, that are available in courtroom proceedings, ensuring that many student survivors will be retraumatized or deterred from coming forward at all, and that many witnesses will refuse to participate in investigatory processes. In K-12 schools, schools will have the *option* of forcing students to undergo this process,³⁸ despite evidence showing that hostile cross-examination makes it especially difficult for children to provide accurate testimony.

A requirement that schools conduct live, quasi-criminal trials with live cross-examination only in sexual misconduct investigations—and not in investigations of other types of student or staff misconduct—communicates the toxic and false message that allegations of sexual harassment are uniquely unreliable. The Supreme Court has never required this type of live adversarial cross-examination in school investigations.³⁹ Student survivors who have been subjected to live cross-examination by their rapist’s advisor have reported tremendous stress and trauma as a result.⁴⁰ Furthermore, as many attorneys and educators pointed out when criticizing the proposed rule, it is [“nonsensical”](#)⁴¹ to require school administrators to make “on-the-spot” or [“real-time evidentiary decisions”](#)⁴² during cross-examination when even judges in courtrooms are not required to do so. Ultimately, this rule will only [“inhibit the Department’s stated goals of discovering the truth.”](#)⁴³

- **TILTED STANDARD OF PROOF:** Previously, schools were required to use a “preponderance of the evidence” standard (i.e., “more likely than not”) in all sexual harassment investigations.⁴⁴ This is the same standard that is used by courts in [all civil rights cases](#)⁴⁵ and is [the only standard of proof](#)⁴⁶ that treats both sides equally. Under the new rule, schools will be able to choose between using the preponderance standard or the much

higher standard of “clear and convincing evidence” (i.e., “highly and substantially more likely than not”) to determine responsibility for sexual harassment, as long as they use the same standard against student and staff respondents.⁴⁷ Because some school employees’ collective bargaining agreements require use of the “clear and convincing evidence” standard for all employee misconduct investigations, some schools will thus be required to use the “clear and convincing evidence” standard in student sexual harassment investigations, even if they continue to use the preponderance standard for all other investigations of student misconduct, like a fist fight or religious harassment.

Allowing schools to use a “clear and convincing evidence” standard that tilts the scales in favor of respondents and to apply this standard only in sexual harassment investigations is inequitable and discriminatory. This rule again appears to be based on the harmful rape myth that students who report sexual harassment are inherently less credible than students who report other types of misconduct.

HARMFUL RESPONSES

Schools will be allowed to use mediation to resolve student-on-student sexual assault complaints and will be permitted to fail to provide survivors with meaningful support. Both of these changes threaten significant harm to students who experience sexual assault or other forms of sexual harassment.

- **MEDIATING STUDENT-ON-STUDENT SEXUAL ASSAULT:**

Previously, schools were prohibited from using mediation to resolve sexual assault complaints,⁴⁸ because mediation assumes both parties share responsibility for the assault, because mediation can allow assailants to pressure survivors into inappropriate resolutions, and because mediation often requires direct interaction between the assailant and survivor, which can be retraumatizing. Under the new rule, schools will be allowed to use mediation to resolve any sexual harassment complaint, including student-on-student sexual assault (but not employee-on-student sexual assault).⁴⁹

Students, survivors, and advocates alike opposed this rule when it was proposed because mediation can “[foster coercion](#),” allows abusers to manipulate victims,⁵⁰ and allows students to be “[pressured by administrators](#)” into entering mediation.⁵¹

- **LACK OF MEANINGFUL SUPPORT FOR VICTIMS:**

Supportive measures (or “interim measures”) are reasonable steps that schools are required to take—before, during, or without an investigation—to ensure that sexual harassment does not interfere with a student’s education. Supportive measures can include changes to class schedules or housing assignments to separate the students, counseling services, tutoring services, excused absences, or changes in assignments and tests.⁵² Previously, schools were instructed to minimize the burden of these measures on the complainant.⁵³ For example, schools were permitted to issue a *one-way* no-contact order prohibiting the named harasser from contacting the complainant (instead of a *mutual* no-contact order prohibiting both parties from contacting each other).⁵⁴

Under the new rule, schools will be prohibited from providing supportive measures that are “disciplinary,” “punitive,” or that “unreasonably burden” the other party.⁵⁵ This may lead some schools only to impose *mutual* no-contact orders, which puts victims at risk of discipline, given that [abusers often manipulate victims](#) into violating mutual no-contact orders.⁵⁶ This could also mean that schools will [force victims to change their own classes and dorms](#) to avoid their rapist or abuser, because changes to the respondent’s schedule may be seen as unreasonably burdensome.⁵⁷

NO NOTICE OF RELIGIOUS EXEMPTIONS

Schools that believe they have a religious exemption from Title IX that allows them to discriminate based on sex won’t have to inform the Department of Education or students and families in advance that they are claiming this exemption, which can especially harm women and girls, LGBTQ students, pregnant or parenting students, and students who access or attempt to access birth control or abortion.

- Under the new rule, the Department of Education is assuring schools that they will not be required to claim a religious exemption from Title IX exemption from the Department, or give students or their families any notice that they are claiming a religious exemption, *before* they engage in sex discrimination.⁵⁸ Schools can simply claim a religious exemption *after* they are already under investigation for violating Title IX.⁵⁹
- On top of this, in a separate Title IX rule,⁶⁰ DeVos has proposed expanding the religious exemption to allow

many more schools to [discriminate based on sex in the name of religion](#).⁶¹ This new proposed rule would allow schools that have only a tangential relationship—or even no relationship—to religion to claim a right to discriminate simply because they subscribe to “moral beliefs or practices.”⁶² This means that in DeVos’s view, a school could discriminate based on not only moral principles that often have religious undertones like “modesty” or “purity,” but also common secular principles like “fairness,” “honesty,” or “intellectual freedom.”⁶³

- These two Title IX rules, separately and together, will be especially dangerous for women and girls, LGBTQ students, pregnant or parenting students, and students who access or attempt to access birth control or abortion.

- **Civil rights advocates**, including [Consortium for Citizens with Disabilities](#),⁷⁶ [Human Rights Campaign](#),⁷⁷ [Leadership Conference on Civil and Human Rights](#),⁷⁸ [MALDEF](#),⁷⁹ [NAACP](#),⁸⁰ [National Center for Transgender Equality](#),⁸¹ [National Employment Lawyers Association](#),⁸² [Southeast Asia Resource Action Center](#),⁸³ and [Southern Poverty Law Center](#),⁸⁴
- **Medical experts**, including [American Psychological Association](#)⁸⁵ and [900+ mental health professionals](#);⁸⁶ and
- **Government officials**, including [145 state legislators from 41 states](#),⁸⁷ [36 United States senators](#),⁸⁸ and [19 state attorneys general](#).⁸⁹

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For all these reasons, the rule was strongly opposed by a wide array of stakeholders when it was proposed:

- **Students**, including [student survivors](#),⁶⁴ [fraternity](#) and [sorority](#) members,⁶⁵ and [student body presidents at 76 colleges and universities in 32 states](#);⁶⁶
- **Educators**, including [American Federation of Teachers](#),⁶⁷ [American Council on Education](#),⁶⁸ [Association for Student Conduct Administration](#),⁶⁹ [Association of American Universities](#),⁷⁰ [Association of Title IX Administrators](#),⁷¹ [International Association of Campus Law Enforcement Administrators](#),⁷² [National Education Association](#),⁷³ [The School Superintendents Association](#),⁷⁴ and [73 law professors from 26 states](#);⁷⁵

1 Dep’t of Educ., *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance* (May 22, 2020), www.federalregister.gov/d/2020-07057.

2 Dep’t of Educ., Office for Civil Rights, *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*, at 5 (Jan. 2001) [hereinafter 2001 Guidance], <https://www2.ed.gov/about/offices/list/ocr/docs/shguide.pdf> (schools are responsible for addressing sexual harassment if it is “sufficiently serious to deny or limit a student’s ability to participate in or benefit from the school’s program,” regardless of where it occurs). See also Dep’t of Educ., Office for Civil Rights, *Questions and Answers on Campus Sexual Misconduct*, 1 n.3 (Sept. 22, 2017) [hereinafter 2017 Guidance], <https://www2.ed.gov/about/offices/list/ocr/docs/qa-title-ix-201709.pdf> (“Schools are responsible for redressing a hostile environment that occurs on campus even if it relates to off-campus activities”); Dep’t of Educ., Office for Civil Rights, *Questions and Answers on Title IX and Sexual Violence*, 29 (Apr. 29, 2014) [hereinafter 2014 Guidance], <https://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf> (“a school must process all complaints of sexual violence, regardless of where the conduct occurred”); Dep’t of Educ., Office of Civil Rights, *Dear Colleague Letter: Sexual Violence*, 4 (Apr. 4, 2011) [hereinafter 2011 Guidance], <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf> (“If a student files a complaint with the school, regardless of where the conduct occurred, the school must process the complaint in accordance with its established procedures.”).

3 34 C.F.R. §§ 106.44(a), 106.45(b)(3)(i).

4 Letter from 76 College and University Student Body Presidents to Betsy DeVos, Sec’y, Dep’t of Educ., at 1 (Jan. 30, 2019) [hereinafter Letter from 76 College and University Student Body Presidents], https://assu.stanford.edu/sites/g/files/sbiyb6236f/student_body_presidents_comment_on_title_ix_proposal_1.pdf.

5 E.g., Letter from Asa Jungreis, President, Alpha Epsilon Pi Fraternity, University of California, Davis to Dep’t of Educ. (Jan. 28, 2019) [hereinafter Letter from A UC Davis Fraternity President], <https://www.regulations.gov/document?D=ED-2018-OCR-0064-11081>.

- 6 *E.g.*, Letter from A Sorority at the University of California Davis to Dep't of Educ. (Jan. 29, 2019) [hereinafter Letter from A UC Davis Sorority], <https://www.regulations.gov/document?D=ED-2018-OCR-0064-11790>.
- 7 Letter from The School Superintendents Association to Betsy DeVos, Sec'y, Dep't of Educ., at 5 (Jan. 22, 2019) [hereinafter Letter from The School Superintendents Association], [https://aasa.org/uploadedFiles/AASA_Blog\(1\)/AASA%20Title%20IX%20Comments%20Final.pdf](https://aasa.org/uploadedFiles/AASA_Blog(1)/AASA%20Title%20IX%20Comments%20Final.pdf).
- 8 Letter from American Council on Education on behalf of 61 Higher Education Associations to Betsy DeVos, Sec'y, Dept. of Educ., at 16 (Jan. 30, 2019) [hereinafter Letter from 61 Higher Education Associations], <https://www.acenet.edu/Documents/Comments-to-Education-Department-on-Proposed-Rule-Amending-Title-IX-Regulations.pdf>.
- 9 Letter from International Association of Campus Law Enforcement Administrators to Betsy DeVos, Sec'y, Dep't of Educ., at 4 (Jan. 28, 2019) [hereinafter Letter from Campus Law Enforcement Administrators], <https://www.regulations.gov/document?D=ED-2018-OCR-0064-10515>.
- 10 2001 Guidance, *supra* note 2, at 10, 12, 13.
- 11 *Id.* at 13.
- 12 34 C.F.R. § 106.30(a) (defining “actual knowledge”); see also § 106.44(a).
- 13 Letter from 21 Ohio State University Survivors to Betsy DeVos, Sec'y, Dep't of Educ., and Kenneth L. Marcus, Ass't Sec'y for Civil Rights, Dep't of Educ., at 3 (Jan. 30, 2019), <https://www.publicjustice.net/wp-content/uploads/2019/01/Comments-of-Ohio-State-Survivors-on-Title-IX-NPRM.pdf>; Letter from 82 Student Survivors of Larry Nassar at Michigan State University, George Tyndall at University of Southern California, and Richard Strauss at Ohio State University to Betsy DeVos, Sec'y, Dep't of Educ., and Kenneth L. Marcus, Ass't Sec'y for Civil Rights, Dep't of Educ., at 2 (Nov. 1, 2018), <https://www.publicjustice.net/wp-content/uploads/2018/11/November-1-Survivor-Letter-to-ED.pdf>.
- 14 Letter from 5 Student Affairs Associations to Kenneth L. Marcus, Ass't Sec'y for Civil Rights, Dep't of Educ., at 7 (Jan. 29, 2019) [hereinafter Letter from 5 Student Affairs Associations], <https://www.regulations.gov/document?D=ED-2018-OCR-0064-11689>.
- 15 2001 Guidance, *supra* note 2, at 2.
- 16 34 C.F.R. § 106.30(a) (defining “sexual harassment”); see also § 106.45(b)(3)(i). Note: The new rule does not create new Title IX protections against domestic violence, dating violence, and stalking. Title IX prohibits all forms of sex-based harassment, which includes non-sexual conduct associated with domestic violence, dating violence, and stalking.
- 17 Letter from Pepper Hamilton LLP on behalf of 24 Private Liberal Arts Colleges and Universities to Betsy DeVos, Sec'y, Dep't of Educ., at 16 (Jan. 30, 2019) [Letter from 24 Private Liberal Arts Colleges and Universities], <https://www.wesleyan.edu/inclusion/dc/PH%20Comment%20Letter%20to%20Department%20of%20Education.pdf>.
- 18 Letter from The School Superintendents Association, *supra* note 7, at 4.
- 19 34 C.F.R. § 106.30(a) (defining “formal complaint”).
- 20 § 106.45(b)(3)(ii).
- 21 34 C.F.R. § 106.30(a) (defining “formal complaint”); see also §§ 106.44(b), 106.45.
- 22 2001 Guidance, *supra* note 2, at 15-16.
- 23 34 C.F.R. § 106.44(a); see also § 106.44(b)(2).
- 24 Letter from The School Superintendents Association, *supra* note 7, at 4.
- 25 Letter from National Education Association to Brittany Bull, Dep't of Educ., at 9 (Jan. 30, 2019) [hereinafter Letter from National Education Association], <http://www.nea.org/assets/docs/NEA%20Comment%20Letter%20RE%20ED-2018-OCR-0064.pdf>.
- 26 Letter from National Education Association, *supra* note 25, at 9.
- 27 2014 Guidance, *supra* note 2, at 31-32; 2011 Guidance, *supra* note 2, at 12.
- 28 2014 Guidance, *supra* note 2, at 28; 2011 Guidance, *supra* note 2, at 10. See also 2001 Guidance, *supra* note 2, at 21 (“because legal standards for criminal investigations are different, police investigations or reports may not be determinative of whether harassment occurred under Title IX and do not relieve the school of its duty to respond promptly and effectively”).
- 29 34 C.F.R. § 106.45(b)(1)(v).
- 30 See Dep't of Health & Human Servs., Admin. for Children & Families, Child Welfare Info. Gateway, *Mandatory Reporters of Child Abuse and Neglect* (2019), <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/manda>.
- 31 Letter from Know Your IX to Kenneth L. Marcus, Ass't Sec'y for Civil Rights, Dep't of Educ., at 42-46 (Jan. 30, 2019) [hereinafter Letter from Know Your IX], [https://actionnetwork.org/user_files/user_files/000/029/219/original/Know_Your_IX_Comment_on_Proposed_Title_IX_Rule_\(1\).pdf](https://actionnetwork.org/user_files/user_files/000/029/219/original/Know_Your_IX_Comment_on_Proposed_Title_IX_Rule_(1).pdf).
- 32 Letter from 19 State Attorneys General to Betsy DeVos, Sec'y, Dep't of Educ., at 36 (Jan. 30, 2019) [hereinafter Letter from 19 State Attorneys General], https://www.nj.gov/oag/newsreleases19/Title-IX_Comments.pdf.
- 33 34 C.F.R. § 106.45(b)(1)(iv).
- 34 Letter from 19 State Attorneys General, *supra* note 32, at 35.
- 35 Letter from Campus Law Enforcement Administrators, *supra* note 9, at 6.
- 36 2014 Guidance, *supra* note 2, at 31; 2011 Guidance, *supra* note 2, at 12.
- 37 34 C.F.R. § 106.45(b)(6)(i).
- 38 34 C.F.R. § 106.45(b)(6)(ii).
- 39 *Goss v. Lopez*, 419 U.S. 565, 566, 579 (1975) (holding that students in public schools facing short-term suspensions require only “some kind of” “oral or written notice” and “some kind of hearing”); see also *id.* at 583 (holding that a 10-day suspension does not require “the opportunity to secure counsel, to confront and cross-examine witnesses supporting the charge, or to call his own witnesses to verify his version of the incident”).
- 40 *E.g.*, Letter from Know Your IX, *supra* note 31, at 34.
- 41 Letter from 61 Higher Education Associations, *supra* note 8, at 10.
- 42 Letter from 24 Private Liberal Arts Colleges and Universities, *supra* note 17, at 13.
- 43 Letter from 19 State Attorneys General, *supra* note 32, at 40-41.
- 44 2014 Guidance, *supra* note 2, at 13, 26; 2011 Guidance, *supra* note 2, at 10-11.
- 45 Letter from Leadership Conference on Civil and Human Rights to Kenneth L. Marcus, Ass't Sec'y for Civil Rights, Dep't of Educ., at 7 (Jan. 30, 2019) [hereinafter Letter from Leadership Conference on Civil and Human Rights], <http://civilrightsdocs.info/pdf/policy/letters/2019/Joint-Comment-Title-IX-NPRM-01302019-Final.pdf>.

- 46** Letter from National Women's Law Center to Kenneth L. Marcus, Ass't Sec'y for Civil Rights, Dep't of Educ., at 33 (Jan. 30, 2019) [hereinafter Letter from National Women's Law Center], <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2019/02/NWLC-Title-IX-NPRM-Comment.pdf>.
- 47** 34 C.F.R. § 106.45(b)(1)(vii).
- 48** 2011 Guidance, *supra* note 2, at 8; 2001 Guidance, *supra* note 2, at 21.
- 49** 34 C.F.R. § 106.45(b)(9).
- 50** *E.g.*, Letter from Know Your IX, *supra* note 31, at 39.
- 51** Letter from 76 College and University Student Body Presidents, *supra* note 4, at 2.
- 52** 2014 Guidance, *supra* note 2, at 32-33; 2011 Guidance, *supra* note 2, at 16-17; 2001 Guidance, *supra* note 2, at 16.
- 53** 2014 Guidance, *supra* note 2, at 33; 2011 Guidance, *supra* note 2, at 15-16.
- 54** 2011 Guidance (“the school may prohibit the alleged perpetrator from having any contact with the complainant pending the results of the school’s investigation”).
- 55** 34 C.F.R. § 106.30(a) (defining “supportive measures”).
- 56** Letter from National Women's Law Center, *supra* note 46, at 22.
- 57** Letter from 36 U.S. Senators to Betsy DeVos, Sec'y, Dep't of Educ., at 6-7 (Jan. 30, 2019) [hereinafter Letter from 36 U.S. Senators], <https://www.help.senate.gov/imo/media/doc/013019%20Proposed%20Title%20IX%20reg%20caucus%20letter.pdf>.
- 58** 34 C.F.R. § 106.12(b).
- 59** *Id.*
- 60** 85 Fed. Reg. 3190.
- 61** National Women's Law Center, NWLC Submits Comment Opposing Betsy DeVos's Title IX Proposal to Enable Sex Discrimination in the Name of Religion (Feb. 18, 2020), <https://nwlc.org/resources/nwlc-submits-comment-opposing-betsy-devoss-title-ix-proposal-to-enable-sex-discrimination-in-the-name-of-religion>.
- 62** *Id.* at 15, 21.
- 63** *Id.* at 21.
- 64** *E.g.*, Letter from Know Your IX, *supra* note 31; Letter from End Rape on Campus to Kenneth L. Marcus, Ass't Sec'y for Civil Rights, Dep't of Educ. (Jan. 30, 2019), <https://static1.squarespace.com/static/51f82234e4b097de73d1a373/t/5c526bce21c67c217bba88a5/1548905423597/End+Rape+on+Campus+Comment.pdf>.
- 65** *E.g.*, Letter from a UC Davis Fraternity President, *supra* note 5; Letter from a UC Davis Sorority, *supra* note 6.
- 66** Letter from 76 College and University Student Body Presidents, *supra* note 4.
- 67** Letter from American Federation of Teachers to Brittany Bull, Dep't of Educ. (Jan. 30, 2019), <https://www.regulations.gov/document?D=ED-2018-OCR-0064-9123>.
- 68** Letter from 61 Higher Education Associations, *supra* note 8.
- 69** Letter from 5 Student Affairs Associations, *supra* note 14.
- 70** Letter from Association of American Universities to Brittany Bull, Dep't of Educ. (Jan. 24, 2019), <https://www.aau.edu/sites/default/files/AAU-Files/Key-Issues/Higher-Education-Regulation/AAU-Title-IX-Comments-1-24-19.pdf>.
- 71** Letter from Association of Title IX Administrators to Betsy DeVos, Sec'y, Dep't of Educ. (Jan. 28, 2019), https://cdn.atixa.org/website-media/o_atixa/wp-content/uploads/2012/01/18120231/ATIXA-NPRM-Comments-Final.pdf.
- 72** Letter from Campus Law Enforcement Administrators, *supra* note 9.
- 73** Letter from National Education Association, *supra* note 25.
- 74** Letter from The School Superintendents Association, *supra* note 7.
- 75** Letter from 73 Law Professors to Dep't of Educ. (Jan. 30, 2019), <https://www.regulations.gov/document?D=ED-2018-OCR-0064-11900>.
- 76** Letter from Consortium for Citizens with Disabilities to Dep't of Educ. (Jan. 30, 2019), <https://nacdd.org/wp-content/uploads/2019/01/Final-CCD-Title-IX-comments-1.30.19.pdf>.
- 77** Letter from Human Rights Campaign to Kenneth L. Marcus, Ass't Sec'y for Civil Rights, Dep't of Educ. (Jan. 30, 2019), <https://www.regulations.gov/document?D=ED-2018-OCR-0064-11375>.
- 78** Letter from Leadership Conference on Civil and Human Rights, *supra* note 45.
- 79** Letter from MALDEF to Brittany Bull, Dep't of Educ. (Jan. 30, 2019), <https://www.maldef.org/wp-content/uploads/2019/01/MALDEF-Title-IX-Comment.pdf>.
- 80** Letter from Leadership Conference on Civil and Human Rights, *supra* note 45, at 11.
- 81** Letter from National Center for Transgender Equality to Kenneth L. Marcus, Ass't Sec'y for Civil Rights, Dep't of Educ. (Jan. 29, 2019), <https://www.regulations.gov/document?D=ED-2018-OCR-0064-11557>.
- 82** Letter from National Employment Lawyers Association to Betsy DeVos, Sec'y, Dep't of Educ. (Jan. 30, 2019), <https://www.nela.org/index.cfm?pg=83FedReg61483>.
- 83** Letter from Leadership Conference on Civil and Human Rights, *supra* note 45, at 11.
- 84** *Id.*
- 85** Letter from American Psychological Association to Brittany Bull, Dep't of Educ. (Jan. 30, 2019), <https://www.apa.org/advocacy/interpersonal-violence/titleix-comments.pdf>.
- 86** Letter from 902 Mental Health Professionals and Trauma Specialists to Kenneth L. Marcus, Ass't Sec'y for Civil Rights, Dep't of Educ. (Jan. 30, 2019), <https://www.regulations.gov/document?D=ED-2018-OCR-0064-104088>.
- 87** Letter from 145 State Legislators in 41 States to Kenneth L. Marcus, Ass't Sec'y for Civil Rights, Dep't of Educ. (Jan. 25, 2019), <https://www.regulations.gov/document?D=ED-2018-OCR-0064-8535>.
- 88** Letter from 36 U.S. Senators, *supra* note 57.
- 89** Letter from 19 State Attorneys General, *supra* note 32.



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